

**PERSEREC**



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**Reliability of Centralized Criminal Record  
Repository Checks in Lieu of Local Criminal  
Justice Agency Checks in Four U.S. States:  
California, Florida, Pennsylvania, and Indiana**

**Kelly R. Buck**

Defense Personnel Security Research Center

**F. Michael Reed**

Northrop Grumman Mission Systems

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Defense Personnel Security Research Center

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Kelly R. Buck  
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Northrop Gruman Mission Systems

Released by  
James A. Riedel  
Director

Defense Personnel Security Research Center  
99 Pacific Street, Suite 455-E  
Monterey, California 93940-2497

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## **Preface**

The Department of Defense Personnel Security Research Center has been pursuing a program of research pertaining to evaluating and optimizing use of state central repositories of criminal history record information to screen personnel for national security clearances. To date, many of the criminal background checks conducted in security clearance background investigations require visits to local criminal justice agencies in all areas where subjects are known to have lived, worked, or gone to school for 6 months or more. Consequently, tens of thousands of records checks are being conducted on subjects with no criminal history. Meanwhile, criminal record checks are not being conducted in other places where subjects withhold information that they committed crimes.

State repository checks have the potential of eliminating many of these nonproductive local agency checks while expanding coverage to all jurisdictions within a state. The concern is, however, that state repositories may not be as reliable sources of information as local criminal justice agencies.

The study described in this report examines differences in the reliability of state central repositories in four states: California, Florida, Pennsylvania, and Indiana. Additionally, it presents some preliminary data on a flagging model based on repository checks, subject self-reports, and other adverse information to indicate to investigators where extensive local agency checks should be conducted in addition to state repository checks. A subsequent report will examine the effectiveness and cost implications for applying this kind of flagging strategy to the completion of criminal background investigations.

James A. Riedel, Ph.D.  
Director

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## **Executive Summary**

### **Overview**

States are increasingly consolidating local law enforcement agency criminal records into centralized repositories. Access to a state central repository of criminal history record information (CHRI) provides investigators with the potential to identify, through one inquiry, all criminal records associated with one person within a state. The reliability of these centralized checks in lieu of local agency and court criminal records checks (LACs) depends, however, on timely, complete, and accurate reporting of arrests and dispositions by local criminal justice agencies to their repositories.

This study examined the consistency of information available between local, state, and national repositories of CHRI. To the extent that information is consistent, then checks of centralized repositories could replace most of the tens of thousands of LACs that are now conducted in the course of security clearance background investigations. In the event local criminal justice agency information is inaccessible via central repository checks, alternative sources of information for indicating where LACs should be conducted were explored. These included self-reporting by subjects on their electronic personnel security questionnaires and identification of cases having some other kind of adverse information that would justify conducting LACs.

### **Major Findings**

Based upon comparisons of the results of LACs to checks of the state central repository and the FBI's National Crime Information Center Interstate Identification Index (NCIC III), the degree to which evidence of criminal conduct would be lost if centralized repository checks were used in lieu of LACs depended both on the type of criminal conduct and on the agency originating arrest and/or conviction information.

- For the types of offenses that one could reasonably expect to be reported with offenders' fingerprints, state and the national NCIC III repositories together identified approximately 70% of offense information found through LACs in California, 89% of the information found through LACs in Florida, and 85% of the offenses identified through LACs in Pennsylvania. The Indiana state repository in combination with the NCIC III, however, identified only 32% of the offense information surfaced through LACs in that state.
- For all types of offenses that can be identified through LACS, the California repository identified 43.3%, the Florida state repository identified 61.2%, and the Pennsylvania state repository identified 41.4%. Only 18.8% of the offense information found through Indiana LACs could be identified via checks of the Indiana state repository.

- Name-based state repository checks can potentially identify an additional 2 to 3.5% of subjects believed not to have criminal records based on LACs. This can translate to as much as one-fourth of the criminal offender population.
- The extent to which name-based state repository checks and/or NCIC III checks identified offenses found through LACs varied significantly between reporting agencies within California and within Florida.
- Of 598 subjects for whom LACs identified felony arrests, 29% self-reported felony arrests or convictions on their Standard Form 86, Questionnaire for National Security Positions (SF-86). Of 40 subjects known through LACs to have some kind of nonfelony firearm or explosives-related arrest or conviction, 40% self-reported these arrests on their SF-86. Approximately half (51.3%) of the 199 subjects with nonfelony drug offenses self-reported, whereas 69% of the 1,135 subjects with nonfelony alcohol-related offenses self-reported.
- Using information from state repository checks, checks of the NCIC III, subject self-reports, and other adverse information from the EPSQ, between 78% (Indiana) and 89% (California) of subjects known through LACs to have relatively more serious criminal records will be identified as having at least one criminal record, although LACs in all places where they lived, worked, or went to school for 6 months or more would have to be conducted to surface all of their offense information.

## **Recommendations**

Using central repository information, in combination with other investigative sources, to flag subjects for whom local agencies checks should be conducted appears promising for at least some states. In addition to identifying most of the subjects and information known through local agency checks, a flagging strategy has the added benefit of surfacing evidence of possible criminal conduct in local agencies where investigators did not know to visit. Based on these findings, the following approaches to conducting criminal record background checks are recommended:

- 1. Take into account the reliability of reporting by individual criminal justice agencies to central repositories in any decision to replace all LACs with central state repository checks.**

This study has shown that a blanket approach to replacing local agency checks with state repository checks may leave agencies that screen personnel vulnerable to selecting offenders who have committed security-relevant crimes in areas where local law enforcement do not reliably report crimes to their central repository. Care should be taken to evaluate and monitor whether state reporting requirements and individual agencies' reporting practices are sufficiently reliable to meet standards for screening personnel for national security positions.

- 2. Do not rely solely on subjects' self-reports of criminal records in addition to centralized repository checks for evidence of where LACs should be conducted.**

If a broad strategy of conducting LACs in every place where a person has lived, worked, or gone to school within the scope of the investigation is replaced with centralized checks, supplemental information should be available for generating leads to conduct local agency checks necessary for the identification of persons with criminal histories. Many subjects fail to disclose criminal offense information.

- 3. If state and national repository checks and subject self-reports are the primary sources for generating investigative leads for LACs, employ a flagging strategy based on evidence of any other type of adverse information to identify additional subjects for whom LACs should be conducted.**
  - (a) Where possible, conduct state repository checks and NCIC III checks on all subjects as a first step in investigations.
  - (b) In all cases where the state repository and/or the NCIC III checks indicate possible criminal histories, conduct expanded LACs in all places where subjects may have possibly lived, worked, or gone to school for at least 6 months.
  - (c) Conduct expanded LACs in all places where subjects may have possibly lived, worked, or gone to school for at least 6 months:
    - (i) In all cases where subjects self-report any arrests;
    - (ii) In all cases where NLETS and NCIC III do not identify CHRI and subjects do not self-report but subjects have at least one other significant security issue (e.g. problematic debt);
    - (iii) In all cases where interviews of references or other records checks surface either criminal conduct and/or other significant security issues.
    - (iv) For a randomly selected subset of subjects.
- 4. Conduct LACs where the subject of investigation was a juvenile in years that fall within the scope of investigation, especially if a flagging strategy is not used.**

For clearance applicants who are older in age, loss of juvenile information may be of little concern since any crimes would likely tend to be minor and fall outside the scope of years required by investigative guidelines. In the absence of subsequent adult criminal conduct, a strong argument could be made for the irrelevance of youthful indiscretions. For noncriminal justice agencies that are authorized to access juvenile records and that select personnel from a large pool of relatively young applicants, such as military recruiters, inability to access criminal records through central repositories is more problematic. For these types of agencies, local agency checks for certain sectors of their applicant pool would still be recommended. The challenge for these agencies then is to implement dual tracks of procedures for efficiently gathering criminal record



information, depending on the scope of investigative guidelines and the age of the applicant. This recommendation may be rendered unnecessary under a flagging approach.

**5. Identify reliable alternative sources of information for criminal records often missing from repositories, such as juvenile offenses, public intoxication and serious vehicle code violations.**

This study, and reviews of state laws, showed that the state repositories are unreliable sources of juvenile offenses and vehicle code violations. Specific state statutes pertaining to forwarding offense information to state repositories and offense code classifications used by states may also render other relevant offense information inaccessible through central repository checks. For example, public intoxication arrests are specifically excluded from reporting requirements by local law enforcement agencies to the California state repository. Additionally, many offenses that would be classified as misdemeanors in California, Indiana, and Florida are cited as "summary offenses" by Pennsylvania. In keeping with Pennsylvania state law, almost all summary offenses are not fingerprint-supported and are not forwarded to the state repository.

Departments of Motor Vehicle centralized databases and/or the National Department of Transportation Driver Registry may be better sources of information than LACs about serious vehicle code violations, including misdemeanor drinking and driving, reckless driving, hit and run, failures to appear, driving without insurance, and driving without a valid license. PERSEREC is attempting to obtain data to evaluate the extent to which vehicle code violations identified through LACs can be identified through checks of the National Driver Registry.

**6. Conduct LACs, state repository checks, and NCIC III checks for all positions with the most severe implications if subjects have criminal histories.**

LACs tended to identify offense information missing from name-based state repository checks more often than state repository checks identified CHRI missed by LACs. Nonetheless, state repository checks did have the potential of providing information that was not found through LACs. Therefore, for positions where the implications of having a criminal history are most severe, central repository checks should be conducted in addition to LACs and NCIC III checks.

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## **Introduction**

The most thorough strategy for government investigations of persons applying for national security clearances has traditionally required visits or contact with multiple agencies in jurisdictions where applicants may have lived, worked, or attended school for at least 6 months. Since many subjects have lived in more than one location and since nearly 90% have no criminal records, hundreds of thousands of records are being requested in tens of thousands of different agencies where no criminal records will be found.

Increasingly, however, states are consolidating local law enforcement agency criminal records into centralized repositories. Access to central repositories of criminal history record information (CHRI) provides investigators with the potential to identify, through one record request, all criminal conduct associated with a person across all jurisdictions within a state.

As central repositories of criminal history information become accessible, however, questions about their reliability arise. Repository information is only as good as the data that is collected and reported by criminal justice agencies that apprehend and process criminal suspects. For criminal records to be accessible, they must be recorded and transmitted accurately, completely, and in a timely manner.

The purpose of this report is to evaluate the reliability of centralized repositories of electronically stored criminal history record information in four states: California, Florida, Pennsylvania, and Indiana. These states were selected because their investigators of personnel applying for national security clearances rely almost completely on checks of local criminal justice agencies in every area where applicants are known to have lived, worked or gone to school for at least 6 months, even though a state repository is available.

For this report, reliability of repositories in these states was measured in two ways. One focused on the extent to which different local law enforcement agencies report criminal conduct to the state repository. To the extent that all agencies do provide all required arrests and convictions, centralized repositories are a reliable source of criminal conduct information. To the extent they do not, LACs still may be required in all or some jurisdictions.

Another approach was to allow for the possibility that repositories would miss some offenses identified through LACs, but would indicate at least one offense for each person who would have been found to have an offense or offenses through LACs. In these cases, the repository could function as a signal to notify investigators that for a given subject, a full series of LACs should be conducted, unless the CHRI found through the repositories was in itself disqualifying.

In the event checks of central repositories fail to identify subjects with criminal histories, self-reports by subjects themselves and other types of adverse information

surfaced in the course of investigations could flag those subjects for whom LACs should be conducted in addition to central repository checks. The value of these sources of information for identifying subjects with criminal records is also evaluated.

The following section describes the data sources for conducting the study, the sampling strategy for selecting cases, and the methods for coding results of record checks from different sources. Thereafter, results of the comparison of local, state, and national criminal justice agency checks are presented. Finally, implications for conducting centralized repository checks in lieu of LACs are discussed.

## Method

### Coding Outcomes of LACs

The data source for results of LACs was official reports of investigations (ROIs) conducted in California between January 1 and October 31, 2000 and in Florida, Pennsylvania and Indiana between January 1 and December 31, 2000 by the Defense Security Service of the Department of Defense (DSS).<sup>1</sup> Table 1 shows for each state in the study the number of subjects investigated, the number of criminal justice agencies where LACs were conducted, and the total number of LACs.

**Table 1**  
**Numbers of Subject Investigations, Local Agencies Visited, and Criminal Record Check Requests by State**

<i>State</i>	<i># of Subjects</i>	<i># of Law Enforcement Agencies</i>	<i>Total # of LACs Conducted</i>
California	28,018	607	61,734
Florida	21,972	542	31,188
Pennsylvania	11,520	>1,300 <sup>2</sup>	28,893
Indiana	5,059	410	11,441

Each case in the LAC database represented a single law enforcement, court, or other criminal justice agency check. Results of each check of each agency in the population were coded according to whether the ROIs indicated whether any type of record was or was not found. Records could include anything from traffic citations to murder. As seen in Table 2, summons, citations, or criminal offense records were found in 3,669 (5.9%) of the 61,743 California LACs, 3,439 (11.0%) of the 31,188 Florida LACs, 2,221 (7.7%) of the 28,893 Pennsylvania LACs, and 860 (7.5%) of the 11,441 Indiana LACs.

<sup>1</sup> Bob Bogardus and Susan Reed provided crucial technical support in attending to computer resource issues and programming consternations during the processing of ROIs.

<sup>2</sup> An exact total for number of agencies contacted in Pennsylvania was not determined due to the way that investigators in Pennsylvania documented reports of investigation. Frequently, they combined write-ups of visits to two or more agencies in one paragraph, whereas other states' investigators would list visits to each agency in separate paragraphs. The latter strategy was conducive to processing data files in a way that enabled tallying numbers of visits to each agency, whereas the Pennsylvania strategy was not. Enough cases were processed in Pennsylvania to determine, nonetheless, that at least 1300 agencies were contacted.

**Table 2**  
**Number of LACs Where Offense Records Was Found Relative to the Total Population of LACs**

<i>State</i>	<i># Of LACs With Offense Records</i>		<i>Total # of LACs Conducted</i>
	<i>N</i>	<i>%</i>	
California	3,669	5.9	61,734
Florida	3,439	11.0	31,188
Pennsylvania	2,221	7.7	28,893
Indiana	860	7.5	11,441

In Table 3, the average and maximum numbers of LACs per subject are shown for each state in the study. The number of LACs per subject ranged from 1 to 17, with checks of at least two agencies being required for most subjects. Most subjects in California, Pennsylvania, and Indiana had between 2 and 4 LACs, whereas in Florida, the majority had between 1 and 3 LACs.

**Table 3**  
**Average Number of LACs Conducted per Subject**

<i>State</i>	<i>Average # LACs Conducted Per Subject</i>	<i>Standard Deviation</i>	<i>Maximum # LACs Conducted for a Subject</i>
California	2.20	1.50	17
Florida	1.42	.83	14
Pennsylvania	2.51	1.60	14
Indiana	2.26	1.38	11

Table 4 reports the proportion of the subjects in the population for whom LACs identified an offense record. The highest rate of records was found in Pennsylvania, with LACs identifying some kind of offense record for 11% of the 11,520 subjects. The proportion of subjects for whom LACs identified offense records in each of the other states was approximately 9%. The proportion of LACs in which offense records are identified, as shown in Table 2, is lower than the proportion of subjects for whom offense records are identified because more than one LAC was conducted for most subjects.

**Table 4**  
**Proportion of Subjects in the Population for Whom LACs Identified Offense Records**

<i>State</i>	<i># Subjects With Offense Records</i>		<i>Total # Subjects in the Population</i>
		<i>%</i>	
California	2,430	8.7	28,018
Florida	2,077	9.5	21,972
Pennsylvania	1,269	11.0	11,520
Indiana	445	8.8	5,059

## Identifying Agencies for Assessment of Consistency in Reporting

To assess the degree to which different local law enforcement agencies report violations and criminal conduct to their state repositories, samples of LACs were drawn from each of the 11 agencies that processed the most LACs in California and the 11 agencies that processed the most LACs in Florida. These agencies are shown in Tables 5a and 5b, and shall hereafter be called "focus agencies." In California, the 11 focus agencies accounted for 40% of all California LACs; in Florida, the 11 focus agencies accounted for 64% of all LACs.<sup>3</sup> The proportions of the LACs within each focus agency that identified offense records are provided in Tables A.1.a and A.1.b of Appendix A. Due to the sizes of the populations and the numbers of criminal justice agencies within Indiana and Pennsylvania, sampling for focus agencies was not possible.

**Table 5a**  
**Number of LACs Conducted in California in January to October 2000, by Focus Agency**

<i>Agency</i>	<i>N</i>	<i>Number of LACs</i>	
		<i>%</i>	<i>Cumulative %</i>
Alameda County Sheriff	1,080	1.7	1.8
Alameda Police	205	.3	2.1
Kern County Sheriff	1,419	2.3	4.4
Los Angeles County Sheriff Automated Index	3,459	5.6	10.0
Orange County Sheriff	2,553	4.1	14.2
Riverside County Sheriff	1,323	2.1	16.3
Sacramento County Sheriff	1,068	1.7	18.0
San Bernardino County Sheriff	3,687	6.0	24.0
San Diego Police & Sheriff Combined Index	7,321	11.9	35.9
Santa Clara County Court	1,816	2.9	38.8
Solano County Sheriff	1,072	1.7	40.5
All other agencies	36,731	59.5	100.0
Total	61,734	100.0 <sup>a</sup>	

<sup>a</sup> Due to rounding, column percent may not total exactly to 100%.

<sup>3</sup> The Alameda Police Department was included in the list of focus agencies because it was not clear from the reports of investigation if these checks were conducted using the same database as LACs reported to have been conducted by the Alameda County Sheriff's Department.



**Table 5b**  
**Number of LACs Conducted in Florida In Calendar Year 2000, by Focus Agency**

<i>Agency</i>	<i>Number of LACs</i>		
	<i>N</i>	<i>%</i>	<i>Cumulative %</i>
Bay County Court	1,141	3.7	3.7
Brevard County Sheriff	2,200	7.1	10.8
Broward County Sheriff	874	2.8	13.6
Duval County Sheriff	2,787	8.9	22.5
Hillsborough County Sheriff	1,761	5.6	28.1
Miami-Dade Police	1,148	3.7	31.8
Orange County Sheriff	2,071	6.6	38.4
Palm Beach County Sheriff	850	2.7	41.1
Pensacola State Attorney	5,535	17.7	58.8
Pinellas County Sheriff	849	2.7	61.5
Volusia County Sheriff	829	2.7	64.2
All other agencies	11,143	35.8	100.0
Total	31,188	100.0	

<sup>a</sup> Due to rounding, column percent may not total exactly to 100%.

### **Sampling Strategy for Selecting LACs to Compare with Results of NLETS Checks**

#### **By Offender Status**

The data source for results of state repository checks were name-based checks of state repositories conducted via the National Law Enforcement Telecommunications System (NLETS), conducted during calendar year 2001 by DSS. NLETS is a criminal justice agency messaging system that enables exchange of offense information between law enforcement agencies throughout the United States, to include queries of automated databases managed by state repositories. Checks of the NLETS network are on a state-by-state basis, wherein operators must enter individually the name of each state where records are to be searched. The results of queries of NLETS using one subject's name could produce results pertaining to one or more individuals. Thus, DSS personnel manually matched personal identification information corresponding to a given subject to that of one individual identified via NLETS.

For all states, the samples for conducting NLETS checks were biased towards including subjects who were known, based on Year 2000 LACs, to have some kind of offense record in at least one local criminal justice agency. For California and Florida, the samples were randomly drawn only for the focus agencies. As shown in Table 6, the Florida and California samples included a portion of subjects who were not identified through LACs as having offense records: 21.5% in California and 53.1% in Florida. Conversely, 78.5% of the subjects in the California sample and 46.9% of the subjects in the Florida sample were known through LACs to have offense records. For Pennsylvania and Indiana, the samples were randomly selected from the total population of offenders

such that 98.5% of their samples were identified through LACs as having offense records.

**Table 6**  
**Number of LACs that Found Offense Records Relative to the Total**  
**Number of LACs in the NLETS Sample, by State**

<i>State</i>	<i># Of Subjects in the Sample</i>	<i>% Of Subjects with Offense Records</i>
California	627	78.5
Florida	648	46.9
Pennsylvania	540	98.5
Indiana	391	98.5

### **By Agency and Offense**

For California, an initial sample was drawn from the population of LACs for Alameda Police and Alameda County Sheriff's Departments, Los Angeles County Automated Index, Orange County and San Bernardino County Sheriffs' Departments, and San Diego Police and Sheriff Departments Combined Indices. A cursory analysis and consultation with personnel overseeing requests for LACs confirmed that local criminal justice agencies were neither required by law nor generally opted to report juvenile offenses and most vehicle code violations to the state centralized criminal repository. As a result, a second sample was drawn that targeted nonjuvenile and nonvehicle code offenses for the above agencies. To enable comparisons of more agencies, almost all LACs at Kern, Riverside, Sacramento, and Solano County Sheriffs' Departments were added, excluding juvenile offenses and vehicle code violations.

Additionally, preliminary analyses of the first California sample had already established that the percentage of state repository checks that would identify criminal records when LACs did not was very small. Therefore, in order to minimize expending resources on checks that were not very likely to identify CHRI, fewer LACs were sampled where CHRI was not present. The proportion of the known offenders within each agency represented by the California sample is provided in Table A.1.a of Appendix 1. The proportion of the California local agency checks in the sample that contained CHRI are shown for each agency in Table A.2.a.

For the remaining states, samples were drawn to exclude vehicle code offenses. Additionally, for Florida, a sorting error in the initial sampling resulted in an over-representation of LACs at the Bay County court where CHRI was not found. Therefore, a second sample was randomly selected to include only LACs and subjects known to have CHRI and to improve representation of the other focus agencies. The resulting proportions of known offenders within each Florida agency are displayed in Table A.1.b of Appendix 1. The proportion of the local agency checks in the Florida sample that contained offense records is shown for each agency in Table A.2.b

## Sampling Strategy for National Repository Checks

DSS conducted national repository criminal records checks during 2001 and 2002 using name-based queries of the FBI's National Crime Information Center Interstate Identification Index (NCIC III). The NCIC III contains records of felonies and serious misdemeanors for the United States. NCIC III checks were conducted for almost every case in the sample where LACs identified any criminal conduct but NLETS checks revealed none. The proportion of the state repository samples where CHRI was not found and NCIC III checks were conducted are shown in Table 7.

**Table 7**  
**Number of NCIC III Checks Conducted**

<i>State</i>	<i># Subjects For Whom LACs Identified Offense Records But NLETS Checks Did Not</i>	<i>% Of These Checks For Which NCIC III Name-based Checks Were Requested</i>
California	277	91.0
Florida	106	97.2
Pennsylvania	308	74.4
Indiana	307	97.7

### Method of Comparing Results of LACs with Central Repository (NLETS and NCIC III) Checks

To evaluate the consistency between LACs and central repository checks, the starting point was the result of a LAC for a given subject at a specific law enforcement agency. The results of NLETS and NCIC III checks were then compared against this information. Using this strategy, the five simplest outcomes in the comparison of state summary criminal history information rap sheets to the contents in one LAC were as follows:

1. Neither the LAC nor the central repositories identified any offenses.
2. The LAC identified one or more offenses, none of which the central repositories identified.
3. The central repositories identified one or more offenses and the LAC identified no offenses.
4. Both the LAC and central repositories listed offenses from the same agency but none of the offense information was common.
5. Both the LAC and central repositories identified at least one offense in common.

Within Option 5, where both the LAC and central repositories identified at least one offense in common, five additional, nonmutually exclusive, outcomes were considered. They were coded as follows:

- a) Central repositories matched the offense(s) identified in the corresponding LAC exactly.

- b) Central repositories matched on at least one offense found through a LAC, but the LAC identified other offenses not identified by the central repositories.
- c) Central repositories matched on at least one offense, but also identified offenses not identified by the LAC for a given agency.
- d) Central repositories identified offense information found in the LAC but for a different agency than reported in the respective LAC. This outcome would favor relying on the efficiency of central repositories to obtain the same evidence of criminal conduct that would have been identified through LACs.
- e) Central repositories identified agencies and offenses where LACs were not conducted.

Figure 1 below summarizes these outcomes. The star symbols indicate where NLETS or LACs would be the most efficient and effective strategy for obtaining evidence of criminal conduct. The stars in parentheses indicate where NLETS might only be preferred if a flagging strategy was in place to conduct LACs in every place where a person worked, lived, or went to school for 6 months or longer upon finding any offense information through NLETS checks. Category 5c is somewhat problematic. On the one hand, this outcome would favor relying on the efficiency of central repositories to obtain the same evidence of criminal conduct that would have been identified through LACs. On the other hand, if investigators were to use central repository data to try to obtain additional information about the offense, they would not be referred to the agency where investigators found the information through LACs.

Outcome		LACs Favored	REPOSITORY Favored
1.	Neither the LAC nor REPOSITORY identify any offenses		★
2.	LAC & REPOSITORY identified exactly the same information from the same agency		★
3.	LAC identified one or more offenses, none of which REPOSITORY identified.	★	
4.	REPOSITORY identified one or more offenses and the LAC identified no offenses.		★
5.	Both the LAC and REPOSITORY identified at least one of the same offenses.		
	a. LAC identified additional offenses		(★)
	b. REPOSITORY identified additional offenses		★
	c. Same information reported by different agencies		(★)
6.	REPOSITORY and LAC list offense records from same agency but no offenses in common		★
7.	REPOSITORY identified offenses where LACs weren't conducted		★

**Figure 1 The Relative Advantages of Using Central Repository Checks versus LACs Based on Outcomes of Comparisons**

## Control for Type of Offense

The strategy for coding of offenses was guided primarily by central repository reporting requirements for law enforcement agencies and some typical guidelines used by organizations in evaluating the relevance of criminal history information in selecting personnel for positions of trust.

With respect to reporting requirements, most states' criminal justice agencies have not been required or encouraged – or in some states permitted – to forward information about citations and most vehicle code violations to the state CHRI repository, particularly since many of these offenses, such as speeding or littering, do not require fingerprinting. Even though they are criminal offenses, many drinking and driving arrests and convictions, as a matter of policy, are not forwarded to state criminal record repositories. Additionally, forwarding and dissemination of juvenile criminal history information is generally restricted by state law.

Both Florida and California have general statutes mandating that fingerprint and arrest information be forwarded to the state repository for all arrests unless otherwise provided by law.<sup>4</sup> For example, California state law specifies that:

Criminal offender record information relating to arrests for being found in any public place under the influence of intoxicating liquor under subdivision (f) of Section 647 shall not be reported or maintained by the Department of Justice without special individual justification.<sup>5</sup>

Fewer offenses are reported in Pennsylvania and Indiana. Pennsylvania state law requires forwarding of all misdemeanors and arrests. Yet, Pennsylvania also has a special class of offenses called “summary offenses,” which overlap with what would be classified as misdemeanors in Florida, California, or Indiana. Information about these arrests and convictions are to be forwarded to the repository by criminal justice agencies only if they are a select summary offense that becomes a misdemeanor on the second offense.<sup>6</sup> Indiana state law requires that criminal justice agencies must forward all arrests for “reportable offenses”<sup>7</sup>, which are defined as “all felonies and those Class A misdemeanors which the superintendent may designate.”<sup>8</sup>

Figure 2 summarizes differences in statutes pertaining to forwarding offense information from local criminal justice agencies to the repositories for the four states in the study. The full texts of statutes pertaining to forwarding of offense information by local criminal justice agencies to their state repositories are provided in Appendix B.

<sup>4</sup> Cal Pen Code @ 13150 (1999) “Report as to each arrest,” and 11C-4.003, F.A.C. “Arrest Fingerprint Card Submission”

<sup>5</sup> Cal Pen Code @ 13153 (2000) “Restriction on report or maintenance of information relating to arrests for public drunkenness”

<sup>6</sup> 18 Pa.C.S. @ 9112 (1999) “[Pa.C.S.] @ 9112. “Mandatory fingerprinting”

<sup>7</sup> Burns Ind. Code Ann. @ 5-2-5-2 (1999) “@ 5-2-5-2. Official state central repository – Reports of arrests for reportable offenses”

<sup>8</sup> Burns Ind. Code Ann. @ 5-2-5-1 (1999) “@ 5-2-5-1. Definitions”

State forwarding requirements aside, some organizations that rely on criminal history information in selecting personnel for positions of trust, including those that require national security clearances, are interested in some citations and all arrests regardless of the nature and severity of the crime. Any misdemeanor or felony and some citations and summons may be relevant to decision-making regarding suitability. The nature of the offense may be disqualifying. Or, the failure of subjects to disclose offense information as required on applications may signify their level of honesty or their willingness to comply with organizational directives.

California	<ul style="list-style-type: none"> <li>▪ Every arrest and disposition except as otherwise provided by law or as prescribed by the Department of Justice.</li> <li>▪ Any crime or attempted crime that is motivated by ethnicity, gender, sexual orientation, or any disability.</li> <li>▪ Forgery, fraud-bunco, bombings, receiving or selling stolen property, safe and commercial burglary, grand theft, child abuse, homicide, threats, and offenses involving lost, stolen, found, pledged, or pawned property.</li> <li>▪ DUI (starting in Year 2000).</li> <li>▪ Excludes public intoxication offenses unless special justification for reporting them.</li> </ul>
Florida	<ul style="list-style-type: none"> <li>▪ All adult felony arrests and, unless specified otherwise by statute, all adult misdemeanor arrests.</li> <li>▪ Any juvenile arrest that would be considered a felony if committed by an adult.</li> </ul>
Pennsylvania	<ul style="list-style-type: none"> <li>▪ All felony and misdemeanor offenses.</li> <li>▪ Those summary offenses that become misdemeanor upon a second offense.</li> </ul>
Indiana	<ul style="list-style-type: none"> <li>▪ All felonies and certain Class A misdemeanors that the repository superintendent may designate.</li> </ul>

**Figure 2 Reportable Offenses According to State Statute, By State**

Thus, based on the above two considerations, (a) reporting requirements for criminal justice agencies and (b) investigative standards for national security clearances, results in this study of comparisons of LACs, NLETS, and NCIC III were reported first for all offenses combined and then for all misdemeanors and felonies combined, excluding nonarrests, infractions, juvenile offenses, and vehicle code violations to include drinking and driving offenses. Additionally, some results of LACs where offense records were found were written in such a way as to make it impossible to identify the nature of the

offense. These were included in results reported for all offenses but excluded from the analyses of selected offenses. Figure 3 summarizes the types of offenses that were excluded from the "Selected Offenses" category.

<i>Offenses Excluded from "Selected Offenses" Analysis</i>	<i>California</i>	<i>Florida</i>	<i>Pennsylvania</i>	<i>Indiana</i>
Juvenile offenses	✓	✓	✓	✓
Vehicle code violations	✓	✓	✓	✓
Infractions	✓	✓	N/A	✓
Nonarrests, notices to appear, summary offenses	N/A	✓	✓	N/A
Nonfelony DUI	✓	✓	✓	✓
Unknown or unnamed offenses	✓	✓	✓	✓
Offenses only "possibly" associated with the subject	✓	N/A	N/A	N/A

**Figure 3 Offenses Excluded From the "Selected Offenses" Analyses**

The category of offenses only "possibly" associated with subjects pertained to California where some of the LAC write-ups disclosed nothing more than a "possible arrest" or a "possible conviction" associated with the subject. It is likely that most of these cases related to situations where the investigator could not make a clear determination whether the offense record pertained to the subject of investigation.

### **Measuring Self-Reporting by Subjects on their Personnel Security Questionnaires**

Information missed by NLETS and NCIC III that had been identified through LACs could surface in other phases of the investigation, such as self-reports. The samples for the study of variance in local law enforcement agency reporting to the California, Florida, Pennsylvania, and Indiana central state CHRI repositories provided a means by which to examine subjects' self-reporting.

In the investigative process, subjects complete a Standard Form 86, Questionnaire for National Security Positions (SF-86) that asks them the following about their police record:

- a. Have you ever been charged with or convicted of any felony offense?
- b. Have you ever been charged with or convicted of a firearms or explosive offense?
- c. Are there currently any charges pending against you for any criminal offense?
- d. Have you ever been charged with or convicted of any offense(s) related to alcohol or drugs?

- e. In the last 7 years, have you been subject to court martial or other disciplinary proceedings under the Uniform Code of Military Justice?
- f. In the last 7 years, have you been arrested for, charged with, or convicted of any offense(s) not listed in response to a, b, c, d, or e above? (Leave out traffic fines of less than \$150 unless the violation was alcohol or drug related.)

"Yes" or "No" answers to these questions are stored electronically in a Case Control Management System (CCMS) maintained by DSS.

A database of 3,315 subjects who were known through LACs to have felony and/or misdemeanor offenses was populated with their responses to questions "a," "b," "d," and "f" above.<sup>9</sup> Subjects were excluded from the sample if the date of their offenses as listed in LACs occurred after the date that their investigations were requested as indicated in the CCMS or if they had offenses that fell within category "f" that were more than 7 years old.

Because one offense could generate multiple local agency checks that all produced similar information, only one check per subject was included, unless subjects had separate arrests for offenses from more than one category, such as felony assault and misdemeanor possession of marijuana. Eighty-nine subjects had criminal records that fell into two different categories, while one subject had three different criminal records that were classified in three different categories.

### **Measuring Whether Other Sources of Information Would Flag Subjects for Expanded LACs**

In the event offenders did not self-report and repositories failed to surface their CHRI, subjects could be flagged for LACs using evidence of other adverse information. This strategy is based on an assumption that many subjects with criminal records will also have other potentially problematic issues. In addition to criminal conduct, cases may be classified as having adverse information or "issues" due to behavior pertaining to allegiance to the United States, foreign influence or preference, sexual behavior, financial considerations, alcohol consumption, drug involvement, emotional, mental, and personality disorders, security violations, outside activities, misuse of information technology systems, and other categories of personal conduct. Under a flagging approach, in the absence of self-reports of offenses and positive hits from repository checks, LACs would be conducted in all locations where subjects lived, worked, or went to school for at least 6 months if they self-report or their investigations surface these other types of adverse information.

This study examined the potential for noncriminal adverse information to flag subjects using the same database of 3,315 subjects from the self-reporting analysis.

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<sup>9</sup> Joyce Haferman was instrumental in obtaining the data needed to evaluate self-reporting by subjects.



Evidence of noncriminal issues was indicated using subject investigation case control numbers. Each subject investigated for a security clearance is assigned a case-control number. The last three characters of the case-control number indicate whether or not a case has been designated as an "issue case" or not.

Of the 3,315 subjects in the self-reporting dataset, complete case control numbers were available for 3,204. Table 8 shows that of these 3,204 subjects, DSS personnel classified 37% (n=1,198) as "issue cases." Nearly 20% of these 1,198 subjects were subjects known through LACs to have criminal records but who did not self report them on their SF-86 questionnaires.

**Table 8**  
**Cross-tabulation of Self-Reporting of Offense Records by Issue**  
**Case Designation in Case Control Numbers**

<i>Case Control Number Classification</i>		<i>Subject Did Not Self-Report Any Offenses</i>	<i>Subject Self Reported Offenses</i>	<i>Total</i>
Issue	Count	250	948	1,198
	Column %	19	50	37
Nonissue	Count	1,069	937	2,006
	Column %	81	50	63
Total	Count	1,319	1,885	3,204

## Results

### Results of Comparisons of LACs Versus State Repository Checks

#### Extent to which LAC Offense Information is Identified Through NLETS

Table 9a shows, for each state, the extent to which at least one offense identified through LACs could also be found via name-based NLETS checks of the state repositories. The left side of the table provides results for all offenses; the right side refers to "Selected Offenses." (See Figure 3 for a description of offenses excluded from the "Selected Offenses" category.) As expected, for all states, the degree of consistency in offense information was higher for selected offenses than for all offenses combined.

Accessibility of offense information in the Florida state repository that had been located via LACs was 61.2% of "All Offenses" and 86.6% of "Selected Offenses." Accessibility was lowest for Indiana, where only 18.8% of "All Offenses" and 23.8% of "Selected Offenses" identified by LACs were found at the Indiana state repository.

**Table 9a**  
**Comparisons of LACs and NLETS Checks for Cases Where LACs Identified**  
**Offense Information: All Agencies**

<i>State</i>	<i>All Offenses</i>		<i>Selected Offenses</i>	
	<i>%</i>	<i>Total n</i>	<i>%</i>	<i>Total n</i>
California	43.3	795	63.8	500
Florida	61.2	544	86.6	291
Pennsylvania	41.4	1,018	74.1	332
Indiana	18.8	773	23.8	571

Within states, consistency of information between local criminal justice agencies and state repositories varied depending on the agency originating the offense record, as seen in Tables 9b and 9c below. For California (Table 9b), the variance between focus agencies in reporting nonjuvenile and nonvehicle code misdemeanors and felonies to the state repository ranged from a 39.1% match (18 of 46) for offenses originating from the Los Angeles County Sheriff's Department Automated Index to an 85.7% match (24 of 28) for offenses originating with the Orange County Sheriff's Department. Agencies that matched on at least three fourths of the selected offense misdemeanors and felonies include Kern County Sheriff's Department, Santa Clara County Court system, Solano County Sheriff's Department, and Orange County Sheriff's Department. Agencies that matched at around the 50% rate include: Riverside, Sacramento, and San Bernardino County Sheriffs' Departments.

Table 9c shows differences between focus agencies in Florida. As before, the rate of accessibility of selected offenses in the state repository was greater than for all offenses, regardless of originating agency. Focusing on selected offenses, the variance between agencies in reporting nonjuvenile, nonvehicle code, and nonarrest misdemeanors and felonies to the state repository ranged from a 63.6% match (7 of 11) for offenses

originating from the Palm Beach County Sheriff's Office to a 100.0% match for offenses originating at Bay County Court, Brevard County Sheriff's Office, Duval County Sheriff's Office, and Miami-Dade Police and Sheriff's Departments. At least 90% of offenses found through the Brevard County Sheriff, the Broward County Sheriff, and the Pensacola State attorney were accessible via the Florida state repository. For the Hillsborough County Sheriff, the Orange County Sheriff, and Pinellas County Sheriff, the rate of consistency was at least 80%.

**Table 9b**  
**Comparisons of LACs and NLETS Checks for Cases Where LACs Identified Offense Information: California**

<i>Agency</i>	<i>LAC Offenses Found Through NLETS</i>			
	<i>All Offenses</i>		<i>Selected Offenses</i>	
	<i>%</i>	<i>Total n</i>	<i>%</i>	<i>Total n</i>
Alameda County Sheriff	54.8	31	66.7	21
Alameda Police	8.3	12	0.0	2
Kern County Sheriff	72.2	18	76.5	17
Los Angeles County Automated Index	27.8	72	39.1	46
Orange County Sheriff	41.0	61	85.7	28
Riverside County Sheriff	33.3	15	50.0	10
Sacramento County Sheriff	50.0	20	52.6	19
San Bernardino County Sheriff	38.5	78	50.0	47
San Diego Police & Sheriff Combined	38.0	121	61.1	72
Santa Clara County Court	71.9	32	78.6	28
Solano County Sheriff	78.6	14	76.9	13
Total for All Focus Agencies Combined	42.4	474	60.6	303

**Table 9c**  
**Comparisons of LACs and NLETS Checks for Cases Where LACs Identified Offense Information: Florida**

<i>Agency</i>	<i>LAC Offenses Found Through NLETS</i>			
	<i>All Offenses</i>		<i>Selected Offenses</i>	
	<i>%</i>	<i>Total n</i>	<i>%</i>	<i>Total n</i>
Bay County Court	41.9	31	100.0	11
Brevard County Sheriff	90.0	20	94.4	18
Broward County Sheriff	41.7	24	90.0	10
Duval County Sheriff	88.9	27	100.0	20
Hillsborough County Sheriff	80.0	30	86.4	22
Miami-Dade Police	69.6	23	100.0	14
Orange County Sheriff	74.1	27	81.3	16
Palm Beach County Sheriff	75.0	20	63.6	11
Pensacola State Attorney	55.6	45	90.9	22
Pinellas County Sheriff	52.9	34	84.2	19
Volusia County Sheriff	43.8	16	66.7	6
Total for All Focus Agencies Combined	64.0	297	88.8	169

### Outcomes When Both LACs and NLETS Identify At Least One Offense

Results in this section pertain to the range of possible outcomes when both state repositories and LACs identify at least one offense. Table 10 shows the rates at which the two sources identified at least one of the same offenses and the rates at which the sources each identified at least one offense, but with no offenses in common.

**Table 10**  
**Results of Comparisons of LAC Offense Information With State**  
**Repository Check Information When Each Identified At Least One**  
**Offense**

<i>State</i>	<i>Total # of LACs In Sample with Offense Information</i>	<i>% Where State and LAC Match on At Least One Offense</i>	<i>% Where LAC &amp; Repository Both Identify Offenses, But No Offenses in Common</i>
California	795	43.3	2.3
Florida	544	61.2	2.0
Pennsylvania	1,018	41.4	0.5
Indiana	773	18.8	0.1

In the event that LACs and state repositories did have at least one offense in common, there were three other possible outcomes, as shown in Table 11. First, the state repository could list the exact agency where the LAC was conducted and the offense was found. For California, Florida, and Pennsylvania, this occurred in at least 80% of the comparisons with at least one matching offense. For Indiana, the state repository listed the same agency where the LAC was conducted and the matched offense was found in 57.9% of the comparisons. The converse of these rates reflects the number of times that investigators would risk not being directed to the correct local criminal justice agency if relying on a state repository rap sheet to surface evidence of criminal history.

Second, the LACs could identify more offenses than were listed in the state repository records. This was most likely to occur in California, with 20% of the LACs surfacing offense information not found through NLETS checks of the state repository. For Florida, the rate was 12.3%, for Pennsylvania and Indiana, 9.3% and 9%, respectively.

Finally, the state repository could list more offenses than were accessible via LACs. Again, this was most likely to occur in California, with the state repository identifying more offenses in 8.4% of the comparisons with LACs. For Indiana, Pennsylvania, and Florida, the state repositories identified more offense information in 3% to 5% of the comparisons.

**Table 11**  
**Results of Comparisons Where Repository and LAC Match on At Least One Offense, by State**

<i>Outcome of Comparison</i>	<i>Percentage Matching Outcome</i>			
	<i>CA</i> <i>(n=344)</i>	<i>FL</i> <i>(n=333)</i>	<i>PA</i> <i>(n=421)</i>	<i>IN</i> <i>(n=145)</i>
State and LAC List Same Agency for Matched Offense	84.6	88.3	94.3	57.9
LAC Found Additional Offenses to Matched Offense for a Given Agency	20.3	12.3	9.3	9.0
Repository Reported Additional CHRI to Matched Offense for a Given Agency	8.4	5.1	4.5	3.2

**Outcomes When the State Repository Checks Identify CHRI Not Found Through LACs**

As shown in Table 12, another possible outcome for subjects known through LACs to have at least one offense was for the state repositories to provide offense information from agencies where LACs were never conducted. For California and Indiana, the state repositories identified offense information for agencies where LACs were not conducted for approximately 4% of the subjects in the samples. In Florida, the rate was 2.5%; in Pennsylvania, 0.7%, and in Indiana, 3.8%.

**Table 12**  
**Number and Proportion of Subjects For Whom Repository Has CHRI Where No LACs Were Conducted**

<i>State</i>	<i># Of Subjects For Whom State Repositories List CHRI Where LACs Were Not Conducted</i>	<i>Proportion of Subjects For Whom State Repository Lists CHRI Where LACs Were Not Conducted</i>	<i>Total Number of Subjects in Sample</i>
California	25	4.0	627
Florida	16	2.5	648
Pennsylvania	4	.7	540
Indiana	15	3.8	391

Table 13 pertains to subjects for whom no LACs identified offense information. The first row shows the number of subjects who, based on the LACs conducted, would not have been identified as having any kind of offense record. The second row shows the proportion of these subjects for whom the state repository checks listed some kind of

CHRI.<sup>10</sup> The proportion of subjects believed not to have criminal records who may be identified via repository checks appears to range from 2% to 3.5%. For states like Florida with more complete state repositories, this can represent as much as one-fourth of the offender population. Appendix C provides more detailed information about the kinds of offenses identified through repositories but not through LACs.

**Table 13**  
**Number and Proportion of Subjects Identified by State Repositories As Having Offense Records Who Were Not Believed to Have Offense Records based on LACs**

	<i>CA</i>	<i>FL</i>	<i>PA</i>	<i>IN</i>
Total number of subjects in sample for whom LACs did not identify offense records	135	344	N/A	N/A
Percent of these subjects who were identified by state repository checks as having offense records	2.2	3.5	2.8	2.8
Total number of subjects in population not identified as having offense records	25,587	19,895	10,251	4,614
Total number of subjects identified by LACs as having offense records	2,430	2,077	1,269	445
Extrapolated number of additional subjects in population who, based on state repository checks, would be found to have CHRI	563	696	287	129
Percent of offender population detected by state or NCIC III repository checks but not LACs	18.8	25.1	18.2	22.5

### **Outcomes for LACs Versus State and NCIC III Checks Combined**

Table 14 shows the extent to which NCIC III checks provided additional offense information to what was found through state repository checks. The left side of the table reports the extent to which state repository checks alone accounted for offense records identified through LACs for selected offenses. (This information is repeated from Table 9.) The right-hand side of Table 14 shows the increase in the proportion of LAC offense information accounted for with the addition of results of NCIC III checks; the Total n is lower since fewer NCIC checks than NLETS checks were conducted.

The proportion of LAC information identified through repository checks improved by 11.1 percentage points for Pennsylvania, 7.8 percentage points for Indiana, 6.6 percentage points for California, and 2 percentage points for Florida. Even with NCIC III offense information available, nearly 60% of the selected offense information identified through LACs in Indiana was not accessible via state and national repository checks. Nearly 30% of the selected offense information found through California LACs was not accessible. For Florida and Pennsylvania, the amount of LAC information missing from state and national repository checks was 11% to 15% for selected offenses.

<sup>10</sup> The proportions for Pennsylvania and Indiana are estimated based on an interpolation of the California and Florida rates. These values may be too high, and should be interpreted as a maximum potential.

Appendix C provides more detailed information about the kinds of offenses identified through LACs but not through repository checks.

**Table 14**  
**LACs with Selected Offense Information Also Identified by NLETS and NCIC III Checks, by State**

<i>State</i>	<i>State Repository Alone</i>		<i>State Repository &amp; NCIC III</i>	
	<i>%</i>	<i>Total n</i>	<i>%</i>	<i>Total n</i>
California	63.8	500	70.4	493
Florida	86.6	291	88.6	289
Pennsylvania	74.1	332	85.2	324
Indiana	23.8	571	31.6	570

#### **Ability of Repositories to Identify Subjects with Criminal Histories, Regardless of Offense**

The above tables all pertain to the consistency in availability of offense information between local criminal justice agencies and central state and national repositories. Another approach is to treat repository evidence of criminal conduct as a signal, or a flag, that LACs should be conducted. With this strategy, it is less important that specific offenses are transmitted from local criminal justice agencies to repositories, but rather that repositories serve as adequate indicators that individuals' do or do not have criminal histories. Even if repository checks find fewer offenses or different offenses than LACs, if they find any offenses, then the current DSS guidelines for conducting LACs for subjects could be implemented and the otherwise unknown information would surface.

Table 15 below reports the proportion of cases where state and or NCIC III checks identified any kind of criminal record for subjects who were known through LACs to have offense information. The denominators in each row of Table 15 are the number of investigations for each state in which both state repository and NCIC III checks were available and at least one LAC conducted for a subject contained offense information. As in previous displays, the left half of the table represents all offenses; the right represents only selected offenses by excluding nonarrests, infractions, vehicle code violations, juvenile offenses, and offenses whose type could not be discerned.

The most effective state for flagging subjects with criminal records is Florida, with 74% of offenders with any kind of offense and 92% of offenders with a selected offense being flagged with a check of the state or NCIC III repository. The state repository and/or NCIC III would flag 57% of the Pennsylvania subjects with any offense information and 87% of those with selected offenses. In California, 64% of subjects with any offenses and 78% with selected offenses would be flagged. The rates are much lower in Indiana, with only 37% of subjects with any offenses and 41% of subjects with selected offenses being flagged.

**Table 15**  
**Proportion of Subjects With LAC CHRI Who Would Also Be Identified**  
**by State and/or National Repositories as Having CHRI**

<i>State</i>	<i>Repositories Found Any CHRI:</i>		<i>Repositories Found Any CHRI:</i>	
	<i>All Offenses</i>		<i>Selected Offenses</i>	
	<i>%</i>	<i>Total n</i>	<i>%</i>	<i>Total n</i>
California	64.0	478	78.4	320
Florida	74.0	285	91.9	173
Pennsylvania	57.0	453	86.5	178
Indiana	36.8	378	40.9	298

To the extent that adjudicators are concerned with receiving all offense information and given the differences in accessibility of CHRI between different states, the next challenge is to determine the extent to which alternative investigative sources of information would surface criminal conduct in the group of cases where neither state nor national repository checks identified CHRI. The next two sections look at self-reporting by subjects and issue case classifications as additional means of identifying subjects for whom local agency checks should be maximized.

### **Self-Reporting of Offenses by Subjects**

Based on the resulting 3,571 records checks, we found the following about subjects' likelihood of self-reporting certain arrests and convictions on their SF-86's (summarized in Table 16):

- Of the 598 subjects for whom LACs identified felony arrests, 28.8% indicated felony arrests or convictions on their SF-86.
- 40 subjects were known through LACs to have some kind of nonfelony firearm or explosives-related arrest or conviction; 16 or 40% self-reported these arrests on their SF-86.
- Subjects were more likely to report nonfelony alcohol-related offenses than drug offenses. Of the 199 subjects with nonfelony drug offenses, 51.3% self-reported on their SF-86, whereas 69.1% of the 1,135 subjects with alcohol-related offenses self-reported.
- Subjects with DUI offenses were most likely to self-report, with 75.4% of 670 indicating on their personnel security questionnaire that they had ever been convicted of a drug or alcohol-related offense. Other types of nonfelony alcohol offenders were less likely to self-report that they had been cited or arrested for alcohol-related offenses (60% of 465).

As shown in the far right column of Table 16, however, the percentage of subjects self-reporting at least some kind of arrest or citation was higher than the rate at which they reported arrests or citations of the same types that were identified through LACs. Reasons for the improvement in rates of self-reporting may include a multiple offender not listing all arrests, listing the least serious charge from a single arrest, listing the offense for which one is convicted rather than the offense for which one is initially



charged, or simply misrepresenting the nature of the arrest. Using the flagging approach, regardless of whether individuals accurately responded to questions about citations and arrests, they would still be identified as requiring LACs as long as they indicated they had been arrested (or in some cases cited) for something.

**Table 16**  
**Proportion of Subjects Who Self-Report Offenses on Their SF-86**

<i>Types of Offense</i>	<i># Of Subjects With Offense</i>	<i>% Who Self-Report Specific Type of Offense</i>	<i>% Who Self-Report Any Offense</i>
Any felony	598	28.8	54.5
Any nonfelony firearms or explosives	40	40.0	65.0
Any nonfelony drug	199	51.3	61.3
Any nonfelony alcohol	1,135	69.1	76.3
Nonfelony DUI	670	75.4	81.0
Other nonfelony alcohol	465	60.0	69.5
Other nonfelonies in last 7 years	1238	38.9	49.8

#### **Flagging of Subjects with Criminal Records Using Repositories or Subject Self-Reports**

Table 17 shows the number of subjects within each state who were known from LACs to have offense information and who would have been identified by repository checks and/or self-reports on their personnel security questionnaires. The subjects in Table 17 were identified through LACs as having any felony, any alcohol or drug offense, any firearms or explosives-related offense, and any other offense within the 7 years preceding their investigation, excluding vehicle code violations for which penalties were less than \$150. The greatest proportion of subjects, 87%, would be flagged by self-reports or repository checks in California, followed by Florida at 83%, and Pennsylvania at 81%. In Indiana, nearly 25% of the subjects known to have some kind of reportable offense information would not be identified through self-reports or repository checks. The lower percentage is due largely to the relatively low accessibility of offense information via the Indiana state repository.

**Table 17**  
**Number of Subjects Known to Have Offense Records Who Also Either Self-Report At Least One Offense Or Have Offenses Identified through State and/or National Repository Checks**

<i>State</i>	<i># Who Self-Report or Are Identified by Repositories</i>	<i>Total # of Offenders Based on LACs</i>	<i>% Identified</i>
California	301	344	87.5
Florida	192	232	82.8
Pennsylvania	281	348	80.8
Indiana	205	275	74.5
Total	979	1,199	81.7

#### **Flagging by Repository Checks, Self-Reports, or Other Issue Case Classification**

Since not all LAC offense information can be found through repository checks, and since many subjects do not self-report their offenses, other indicators of subjects more likely to have criminal records are needed in order to be able to stop having to conduct LACs on all subjects. In this study, we explored an option of using the issue case classification codes from the subject investigation case control numbers. As shown in the Methods section of the report, not all of the cases where subjects self-report criminal records are classified as issue cases, and not all issue cases have self-reports of crimes. It may be that, of this latter set, subjects are more likely to have criminal records than subjects who have no derogatory information in their case files. While the data we used to explore this hypothesis are far from ideal, we can get a sense of the extent to which noncriminal conduct related derogatory information flag subjects for expanded LACs.

Table 18 reports the proportions of subjects flagged by repositories, self-reports, or issue case classification. For each state, the proportion of subjects identified increases no more than 5 percentage points over the number identified through only repository checks and self-reports. Overall, if one had forgone LACs for all subjects in the states in this study and instead implemented a strategy of (a) state and NCIC III checks for all subjects, and (b) LACs in all places where subjects lived, worked, or went to school for at least 6 months only for subjects who were flagged, one would fail to identify approximately 15% of the subjects known through Year 2000 LACs to have criminal records that were required to be reported on the SF-86.

**Table 18**  
**Number of Subjects Known to Have Offense Records Who Self-Report Offenses,  
 Have Any Offense Identified through Repository Checks, and/or Whose  
 Investigation Case Control Number Classified Them as "Issue Cases"**

<i>State</i>	<i># Who Self- Report, Are Identified by Repositories, or With Issue Case Classification</i>	<i>Total # Offenders Based on LACs</i>	<i>% Identified</i>
California	254	285	89.1
Florida	158	185	85.4
Pennsylvania	265	312	84.9
Indiana	198	252	78.6
Total	875	1034	84.6

At the same time, the added coverage of statewide checks does identify subjects who, based on LACs alone, would not be identified as having criminal history information. As was shown in Table 13, 2 to 3.5% of the subjects believed not to have criminal records in fact had criminal history information associated with their personal identification information. Additionally, Table 12 showed that for approximately 2% to 4% of the subjects in California and Florida, repository checks identified offense records in agencies where LACs were never conducted.

## **Discussion and Recommendations**

The purpose of this report was to evaluate the consistency of information between state and national central repositories of CHRI and local criminal justice agencies. The strategy for assessing differences was based on the assumption that any evidence of criminal conduct was important for adjudicating applications for national security clearances. Therefore, if central repositories did not return comparable information as to what could be found by visiting local agency checks, they would not be a preferable investigative resource. Due to different requirements of state law and varying practices of local criminal justice agencies in forwarding arrest and disposition information, central repositories in this study as a whole did not surface as much criminal record information as was found by visiting local agencies. Additionally, the variance between states was substantial.

Using central repository information, however, in combination with other investigative sources to flag subjects for whom local agencies checks should be conducted appears promising for at least some states. In addition to identifying most of the subjects and information known through local agency checks, the flagging strategy has the added benefit of surfacing evidence of possible criminal conduct in local agencies where investigators did not know to visit. Subjects may have failed to list offenses and/or locations where they lived, worked, or went to school for 6 months or more. Or, perhaps, not all leads were apparent to investigators.

Based on these findings, the following recommendations are offered:

- 1. Take into account the reliability of reporting by individual criminal justice agencies to central repositories in any decision to replace all LACs with central state repository checks.**

This study has shown that a blanket approach to replacing local agency checks with state repository checks may leave agencies that screen personnel vulnerable to selecting offenders who have committed security-relevant crimes in areas where local law enforcement do not reliably report crimes to their central repository. Care should be taken to evaluate and monitor whether individual agencies' reporting practices are sufficiently reliable to meet standards for screening personnel for national security positions.

- 2. Do not rely on subjects' self-reports of criminal records in addition to centralized repository checks for evidence of where LACs should be conducted.**

If a broad strategy of conducting LACs in every place where a person has lived, worked, or gone to school within the scope of the investigation is replaced with centralized checks, supplemental information should be available for generating leads to conduct local agency checks necessary for the identification of persons with criminal histories. Many subjects fail to disclose criminal offense information.

3. **If state and national repository checks and subject self-reports are the primary sources for generating investigative leads for LACs, employ a flagging strategy for identifying additional subjects for whom LACs should be conducted.**
  - a) Where possible, conduct state repository checks and NCIC III checks on all subjects as a first step in investigations.
  - b) In all cases where the state repository and/or the NCIC III checks indicate possible criminal histories, conduct expanded LACs in all places where subjects may have possibly lived, worked, or gone to school for at least 6 months.
  - c) Conduct expanded LACs in all places where subjects may have possibly lived, worked, or gone to school for at least 6 months:
    - i) in all cases where subjects self-report any arrests;
    - ii) in all cases where NLETS and NCIC III do not identify CHRI and subjects do not self-report but subjects have at least one other significant security issue (e.g., problematic debt);
    - iii) in all cases where interviews of references or other records checks surface either criminal conduct and/or other significant security issues.
    - iv) for a randomly selected subset of subjects
4. **Conduct LACs where the subject of investigation was a juvenile in years that fall within the scope of investigation, especially if a flagging strategy is not used.**

For clearance applicants who are older in age, loss of juvenile information may be of little concern since any crimes would likely tend to be minor and fall outside of the scope of years required by investigative guidelines. In the absence of subsequent adult criminal conduct, a strong argument could be made for the irrelevance of youthful indiscretions. For noncriminal justice agencies that are authorized to access juvenile records and that select personnel from a large pool of relatively young applicants, such as military recruiters, inability to access criminal records through central repositories is more problematic. For these types of agencies, local agency checks for certain sectors of their applicant pool would still be recommended. The challenge for these agencies then is to implement dual tracks of procedures for efficiently gathering criminal record information, depending on the scope of investigative guidelines and the age of the applicant. This recommendation may be rendered unnecessary under a flagging approach.

5. **Identify reliable alternative sources of information for offense information often missing from repositories, such as public intoxication or serious vehicle code violations.**

This study showed that the state repositories are unreliable sources of juvenile offenses and vehicle code violations. Specific state statutes pertaining to forwarding offense information to state repositories and offense code classifications used by states may also render other relevant offense information inaccessible through central

repository checks. For example, public intoxication arrests are specifically excluded from reporting requirements by local law enforcement agencies to the California state repository. Additionally, many offenses that would be classified as misdemeanors in California, Indiana, and Florida are cited as "summary offenses" in Pennsylvania. Almost all summary offenses are not fingerprint-supported and not forwarded to the state repository.

Departments of Motor Vehicle centralized databases and/or the National Department of Transportation Driver Registry may be comparable or perhaps even better sources of information than LACs about serious vehicle code violations, including misdemeanor drinking and driving, reckless driving, hit and run, failures to appear, and driving without a valid license. PERSEREC is attempting to obtain data to evaluate the extent to which vehicle code violations identified through LACs can be identified through checks of the National Driver Registry.

**6. Conduct LACs, state repository checks, and NCIC III checks for all positions with the most severe implications if subjects have criminal histories.**

LACs tended to identify offense information missing from name-based state repository checks more often than state repository checks identified CHRI missed by LACs. Nonetheless, state repository checks did have the potential of providing information that was not found through LACs. Therefore, for positions where the implications of having a criminal history are most severe, central repository checks should be conducted in addition to LACs and NCIC III checks.



**Appendix A**  
**Sample Characteristics**





## Appendix A: Sample Characteristics

**Table A.1.a**  
**Number of LACs That Found Offenses Relative to Total # of LACs Conducted,**  
**By Focus Agency: California**

AGENCY	<i>Offenses Found Through LAC</i>		Total # of LACs
	N	%	
Alameda County Sheriff	40	3.7%	1,080
Alameda Police	16	7.8%	205
Kern County Sheriff	46	3.2%	1,419
Los Angeles County Sheriff	258	7.5%	3,459
Orange County Sheriff	70	2.7%	2,553
Riverside County Sheriff	25	1.9%	1,323
Sacramento County Sheriff	101	9.5%	1,068
San Bernardino County Sheriff	111	3.0%	3,687
San Diego Police & Sheriff	427	5.8%	7,321
Santa Clara County Court	79	4.4%	1,816
Solano County Sheriff	27	2.5%	1,072
Total: All Focus Agencies Combined	1,200	4.8%	25,003

**Table A.1.b**  
**Number of LACs that Found Offenses Relative to Total # of LACs Conducted,**  
**By Focus Agency: Florida**

AGENCY	<i>Offenses Found Through LAC</i>		Total # of LACs
	N	%	
Bay County Court	99	8.7%	1,141
Brevard County Sheriff	95	4.3%	2,200
Broward County Sheriff	183	20.9%	874
Duval County Sheriff	138	5.0%	2,787
Hillsborough County Sheriff	83	4.7%	1,761
Miami-Dade Police	77	6.7%	1,148
Orange County Sheriff	88	4.2%	2,071
Palm Beach County Sheriff	47	5.5%	850
Pensacola State Attorney	286	5.2%	5,535
Pinellas County Sheriff	84	9.9%	849
Volusia County Sheriff	24	2.9%	829
Total: All Focus Agencies Combined	1,204	6.0%	20,045

**Table A.2.a**  
**Number of LACs that Found Offenses Relative to the Total Number of LACs in the**  
**Sample: California**

<i>Agency</i>	<i>Offenses Found Through Sample</i>		<i>Total # of LACS in Sample</i>
	<i>LACs</i>		
	<i>N</i>	<i>%</i>	
Alameda County Sheriff	32	50.8%	63
Alameda Police	13	54.2%	24
Kern County Sheriff	18	56.3%	32
Los Angeles County Sheriff	78	59.5%	131
Orange County Sheriff	68	58.1%	117
Riverside County Sheriff	15	34.9%	43
Sacramento County Sheriff	21	91.3%	23
San Bernardino County Sheriff	80	63.5%	126
San Diego Police & Sheriff	124	71.7%	173
Santa Clara County Court	32	69.6%	46
Solano County Sheriff	14	66.7%	21
Total: All Focus Group Agencies Combined	495	62.0%	799

**Table A.2.b**  
**Number of LACs that Found Offenses Relative to the Total Number of LACs in the**  
**Sample: Florida**

<i>Agency</i>	<i>Offenses Found Through Sample LACs</i>		<i>Total # of LACS in Sample</i>
	<i>N</i>	<i>%</i>	
Bay County Court	31	11.4%	273 <sup>†</sup>
Brevard County Sheriff	20	47.6%	42
Broward County Sheriff	24	55.8%	43
Duval County Sheriff	27	45.0%	60
Hillsborough County Sheriff	30	50.0%	60
Miami-Dade Police	23	59.0%	39
Orange County Sheriff	27	54.0%	50
Palm Beach County Sheriff	20	48.8%	41
Pensacola State Attorney	45	43.3%	104
Pinellas County Sheriff	34	61.8%	55
Volusia County Sheriff	16	43.2%	37
Total: All Focus Group Agencies Combined	297	36.9%	804

<sup>†</sup> The relatively high number of sample LACs at Bay County Court was due the accidental over-sampling of LACs with no CHRI. Over-sampling of LACs with no CHRI occurred for all 11 agencies but was particularly more prevalent at Bay County Court.

**Table A.3.a**  
**Proportion of Focus Agency LACs With Offense Information for Which NLETS**  
**Checks Were Conducted: California**

<i>Agency</i>	<i># of LACs with Offenses in the Sample</i>		<i>Total # of LACs with Offenses</i>
	<i>N</i>	<i>%</i>	
Alameda County Sheriff	32	80.0%	40
Alameda Police	13	81.0%	16
Kern County Sheriff	18	39.1%	46
Los Angeles County Sheriff	78	30.2%	258
Orange County Sheriff	68	97.1%	70
Riverside County Sheriff	15	60.0%	25
Sacramento County Sheriff	21	20.8%	101
San Bernardino County Sheriff	80	72.1%	111
San Diego Police & Sheriff	124	29.0%	427
Santa Clara County Court	32	40.5%	79
Solano County Sheriff	14	51.9%	27
Focus Agency Sub-Total	495	41.3%	1,200
All Other Agencies	336	13.6%	2,469
Total: All Agencies Combined	831	22.6%	3,669

**Table A.3.b**  
**Proportion of Focus Agency LACs With Offense Information for Which NLETS**  
**Checks Were Conducted: Florida**

<i>Agency</i>	<i># of LACs with Offenses in the Sample</i>		<i>Total # of LACs with Offenses</i>
	<i>N</i>	<i>%</i>	
Bay County Court	31	31.3%	99
Brevard County Sheriff	20	21.1%	95
Broward County Sheriff	24	13.1%	183
Duval County Sheriff	27	19.6%	138
Hillsborough County Sheriff	30	36.1%	83
Miami-Dade Police	23	29.9%	77
Orange County Sheriff	27	30.7%	88
Palm Beach County Sheriff	20	42.6%	47
Pensacola State Attorney	45	15.7%	286
Pinellas County Sheriff	34	40.5%	84
Volusia County Sheriff	16	66.7%	24
Focus Agency Sub-Total	297	24.7%	1,204
All Other Agencies	87	3.9%	2,235
Total: All Agencies Combined	384	11.2%	3,439



**Appendix B**  
**State Reporting Requirements**



## **Appendix B: State Reporting Requirements**

### **B.1 California Reporting Requirements**

#### **Cal Pen Code @ 13021 (1999) Reports by local enforcement agencies on violations of obscenity laws**

"Local law enforcement agencies shall report to the Department of Justice such information as the Attorney General may by regulation require relative to misdemeanor violations of Chapter 7.5 (commencing with Section 311) of Title 9 of Part 1 of this code."

#### **Cal Pen Code @ 13023 (1999) Reports by local enforcement agencies on motivations for crimes**

"Commencing July 1, 1990, subject to the availability of adequate funding, the Attorney General shall direct local law enforcement agencies to report to the Department of Justice, in a manner to be prescribed by the Attorney General, any information that may be required relative to any criminal acts or attempted criminal acts to cause physical injury, emotional suffering, or property damage where there is a reasonable cause to believe that the crime was motivated, in whole or in part, by the victim's race, ethnicity, religion, gender, sexual orientation, or physical or mental disability. On or before July 1, 1992, and every July 1 thereafter, the Department of Justice shall submit a report to the Legislature analyzing the results of the information obtained from local law enforcement agencies pursuant to this section."

#### **Cal Pen Code @ 13150 (1999) Report as to each arrest**

"For each arrest made, the reporting agency shall report to the Department of Justice, concerning each arrest, the applicable identification and arrest data described in Section 13125 and fingerprints, except as otherwise provided by law or as prescribed by the Department of Justice."

#### **Cal Pen Code @ 13153 (1999) Restriction on report or maintenance of information relating to arrests for public drunkenness**

"Criminal offender record information relating to arrests for being found in any public place under the influence of intoxicating liquor under subdivision (f) of Section 647 shall not be reported or maintained by the Department of Justice without special individual justification."

#### **Cal Pen Code @ 11107 (2000) Daily reports of felonies and misdemeanors; Content of reports**

"Each sheriff or police chief executive shall furnish all of the following information to the Department of Justice on standard forms approved by the department: Daily reports of those misdemeanors and felonies that are required to be reported by the Attorney General including, but not limited to, forgery, fraud-bunco, bombings, receiving or selling stolen property, safe and commercial burglary, grand theft, child abuse, homicide, threats, and offenses involving lost, stolen, found, pledged, or pawned property. The reports required by this section shall describe the nature and



character of each such crime and note all particular circumstances thereof and include all additional or supplemental data. The Attorney General may also require that the report shall indicate whether or not the submitting agency considers the information to be confidential because it was compiled for the purpose of a criminal investigation of suspected criminal activities. The term "criminal investigation" includes the gathering and maintenance of information pertaining to suspected criminal activity."

## **B.2 Florida Reporting Requirements**

### **Fla. Stat. @ 943.051 (1999) Criminal justice information; collection and storage; fingerprinting**

"(1) The Criminal Justice Information Program, acting as the state's central criminal justice information repository, shall:

(a) Collect, process, store, maintain, and disseminate criminal justice information and records necessary to the operation of the criminal justice information system of the department.

(b) Develop systems that inform one criminal justice agency of the criminal justice information held or maintained by other criminal justice agencies.

(2) Each adult person charged with or convicted of a felony, misdemeanor, or violation of a comparable ordinance by a state, county, municipal, or other law enforcement agency shall be fingerprinted, and such fingerprints shall be submitted to the department in the manner prescribed by rule. Exceptions to this requirement for specified misdemeanors or comparable ordinance violations may be made by the department by rule.

(3) (a) A minor who is charged with or found to have committed an offense that would be a felony if committed by an adult shall be fingerprinted and the fingerprints shall be submitted to the department in the manner prescribed by rule."

### **Fla. Stat. @ 943.0515 (1999) Retention of criminal history records of minors**

"(1) (a) The Criminal Justice Information Program shall retain the criminal history record of a minor who is classified as a serious or habitual juvenile offender or committed to a juvenile correctional facility or juvenile prison under chapter 985 for 5 years after the date the offender reaches 21 years of age, at which time the record shall be expunged unless it meets the criteria of paragraph (2)(a) or paragraph (2)(b).

(b) If the minor is not classified as a serious or habitual juvenile offender or committed to a juvenile correctional facility or juvenile prison under chapter 985, the program shall retain the minor's criminal history record for 5 years after the date the minor reaches 19 years of age, at which time the record shall be expunged unless it meets the criteria of paragraph (2)(a) or paragraph (2)(b).

(2) (a) If a person 18 years of age or older is charged with or convicted of a forcible felony and the person's criminal history record as a minor has not yet been destroyed, the person's record as a minor must be merged with the person's adult criminal history record and must be retained as a part of the person's adult record.

(b) If, at any time, a minor is adjudicated as an adult for a forcible felony, the minor's criminal history record prior to the time of the minor's adjudication as an adult must be merged with his or her record as an adjudicated adult."

**Fla. Stat. @ 943.052 (1999) Disposition reporting**

"The Criminal Justice Information Program shall, by rule, establish procedures and a format for each criminal justice agency to monitor its records and submit reports, as provided by this section, to the program. The disposition report shall be developed by the program and shall include the offender-based transaction system number.

(1) Each law enforcement officer or booking officer shall include on the arrest fingerprint card the offender-based transaction system number.

(2) Each clerk of the court shall submit the uniform dispositions to the program or in a manner acceptable to the program. The report shall be submitted at least once a month and, when acceptable by the program, may be submitted in an automated format. The disposition report is mandatory for dispositions relating to adult offenders only.

(3) (a) The Department of Corrections shall submit information to the program relating to the receipt or discharge of any person who is sentenced to a state correctional institution. (b) The Department of Juvenile Justice shall submit information to the program relating to the receipt or discharge of any minor who is found to have committed an offense that would be a felony if committed by an adult, or is found to have committed a misdemeanor specified in s. 943.051(3), and is committed to the custody of the Department of Juvenile Justice."

**11C-4.003, F.A.C. Arrest Fingerprint Card Submission**

"(1) All law enforcement agencies of the State shall take the following action on all felony, misdemeanor, or comparable ordinance arrests of adults and on all felony and statutorily specified misdemeanor arrests of juveniles:

(a) Complete at the time of arrest, as outlined in the Department's Criminal Justice Information Services Procedural Manual, a criminal arrest fingerprint card bearing legible quality fingerprint impressions, or an electronic equivalent. The state identification number (FDLE NO.) should be recorded on each arrest fingerprint card when the arrestee has a prior arrest record.

(b) A minor transferred for prosecution as an adult shall be fingerprinted and the notation, "Treat as an adult," shall be recorded on the criminal arrest fingerprint card by the arresting agency or clerk of certifying court.

(c) Submit on a daily basis all completed fingerprint cards to:

Florida Department of Law Enforcement,  
Attention: Florida Crime Information Center Bureau,  
Post Office Box 1489  
Tallahassee, Florida 32302-1489"

**11C-4.006, F.A.C. Final Disposition Reporting**

"(1) Law enforcement agencies, units of government responsible for jail facilities, Clerks of the Court, Department of Correction and Department of Juvenile Justice

shall submit disposition data on criminal arrests, pretrial dispositions, trials, sentencing, confinement, parole and probation.

(2) Responsibility for completing and forwarding the final disposition report to the Department for arrests prior to January 1, 1988, may reside with an arresting agency, prosecuting authority or clerk of the court, according to arrangements agreed upon by authorities within each county or municipality. For arrests occurring after January 1, 1988, the clerks of the court, within each county, are responsible for submitting final disposition information to the Department. The responsible agency shall submit disposition data to the Department for each arrest as soon as received.

(3) Agencies, and Clerks of Court possessing the technical requirements to collect, process, store, and disseminate disposition data in an automated information management system may submit disposition information to the Department in an automated format as approved by the Director of the Criminal Justice Information Services.

(4) If within 180 days after an arrest no disposition report to the Department has been made, the Department shall notify the arresting agency and request a disposition report. The arresting agency may forward the notice to the agency responsible for responding to the Department's request according to arrangements agreed upon by authorities within each county or municipality. Thereafter the responsible agency shall provide such disposition report within 30 days."

### **B.3 Pennsylvania Reporting Requirements**

#### **[Pa.C.S.] @ 9103. Applicability**

"This chapter shall apply to persons within this Commonwealth and to any agency of the Commonwealth or its political subdivisions which collects, maintains, disseminates or receives criminal history record information."

#### **[Pa.C.S.] @ 9105. Other criminal justice information**

"Nothing in this chapter shall be construed to apply to information concerning juveniles, except as provided in section 9123 (relating to juvenile records), unless they have been adjudicated as adults, nor shall it apply to intelligence information, investigative information, treatment information, including medical and psychiatric information, caution indicator information, modus operandi information, wanted persons information, stolen property information, missing persons information, employment history information, personal history information, nor presentence investigation information. Criminal history record information maintained as a part of these records shall not be disseminated unless in compliance with the provisions of this chapter."

#### **[Pa.C.S.] @ 9112. Mandatory fingerprinting**

"(A) GENERAL RULE. - Fingerprints of all persons arrested for a felony, misdemeanor or summary offense which becomes a misdemeanor on a second arrest after conviction of that summary offense, shall be taken by the arresting authority,

and within 48 hours of the arrest, shall be forwarded to, and in a manner and such a form as provided by, the central repository.

(B) OTHER CASES. – (1) Where private complaints for a felony or misdemeanor result in a conviction, the court of proper jurisdiction shall order the defendant to submit for fingerprinting by the municipal police of the jurisdiction in which the offense was allegedly committed or in the absence of a police department, the State Police. Fingerprints so obtained shall, within 48 hours, be forwarded to the central repository in a manner and in such form as may be provided by the central repository. – (2) Where defendants named in police complaints are proceeded against by summons, or for offenses under section 3929 (relating to retail theft), the court of proper jurisdiction shall order the defendant to submit within five days of such order for fingerprinting by the municipal police of the jurisdiction in which the offense allegedly was committed or, in the absence of a police department, the State Police. Finger prints so obtained shall, within 48 hours, be forwarded to the central repository in a manner and in such form as may be provided by the central repository.”

**[Pa.C.S.] @ 9122. Expungement**

“(A) SPECIFIC PROCEEDINGS. –Criminal history record information shall be expunged in a specific criminal proceeding when: (1) No disposition has been received or, upon request for criminal history record information, no disposition has been recorded in the repository within 18 months after the date of arrest and the court of proper jurisdiction certifies to the director of the repository that no disposition is available and no action is pending. Expungement shall not occur until the certification from the court is received and the director of the repository authorizes such expungement; or (2) A court order requires that such nonconviction data be expunged.

(B) GENERALLY. –Criminal history record information may be expunged when: (1) An individual who is the subject of the information reaches 70 years of age and has been free of arrest or prosecution for ten years following final release from confinement or supervision; or (2) An individual who is the subject of the information has been dead for three years.

(B.1) PROHIBITION. – A court shall not have the authority to order expungement of the defendant's arrest record where the defendant was placed on Accelerated Rehabilitative Disposition for a violation of any offense set forth in any of the following where the victim is under 18 years of age: Section 3121 (relating to rape). Section 3122.1 (relating to statutory sexual assault). Section 3123 (relating to involuntary deviate sexual intercourse). Section 3124.1 (relating to sexual assault). Section 3125 (relating to aggravated indecent assault). Section 3126 (relating to indecent assault). Section 5902(b) (relating to prostitution and related offenses). Section 5903 (relating to obscene and other sexual materials and performances).

(C) MAINTENANCE OF CERTAIN INFORMATION REQUIRED OR AUTHORIZED. – Notwithstanding any other provision of this chapter, the prosecuting attorney and the central repository shall, and the court may, maintain a list of the names and other criminal history record information of persons whose records are required by law or court rule to be expunged where the individual has

successfully completed the conditions of any pretrial or post-trial diversion or probation program. Such information shall be used solely for the purpose of determining subsequent eligibility for such programs and for identifying persons in criminal investigations. Criminal history record information may be expunged as provided in subsection (b)(1) and (2). Such information shall be made available to any court or law enforcement agency upon request."

**[P.S.] @ 2173. Fingerprints or photographs of criminals; copies to state police; duties of state police**

"The Pennsylvania State Police, the persons in charge of State penal institutions, the wardens or keepers of jails, prisons, and workhouses within this Commonwealth, and all police officers within the several political subdivisions of this Commonwealth, shall have the authority to take, or cause to be taken, the fingerprints or photographs of any person in custody, charged with the commission of crime, or who they have reason to believe is a fugitive from justice or a habitual criminal, except persons charged with a violation of "The Vehicle Code" which is punishable upon conviction in a summary proceeding unless they have reason to believe the person is a fugitive from justice or a habitual criminal; and it shall be the duty of the chiefs of bureaus of all cities within this Commonwealth to furnish daily, to the Pennsylvania State Police, copies of the fingerprints and, if possible, photographs, of all persons arrested within their jurisdiction charged with the commission of felony, or who they have reason to believe are fugitives from justice or habitual criminals, such fingerprints to be taken on forms furnished or approved by the Pennsylvania State Police. It shall be the duty of the Pennsylvania State Police, immediately upon the receipt of such records, to compare them with those already in their files, and, if they find that any person arrested has a previous criminal record or is a fugitive from justice, forthwith to inform the arresting officer, or the officer having the prisoner in charge, of such fact."

**B.4 Indiana Reporting Requirements**

**@ 5-2-5-1. Definitions**

"(12) "Reportable offenses" means all felonies and those Class A misdemeanors which the superintendent may designate."

**@ 5-2-5-2. Official state central repository – Reports of arrests for reportable offenses**

"The department shall act as the official state central repository for criminal history data. Any sheriff, police department, or criminal justice agency within the state of Indiana shall report to the department, on forms provided by the department, all arrests for reportable offenses."

**@ 5-2-5-12. Daily IDACS computer entries**

"(a) On a daily basis, all law enforcement agencies shall enter into the Indiana data and communication system (IDACS) computer the following:(2) All information

concerning fugitives charged with a crime, including information concerning extradition.”

**@ 5-2-5-12. Daily IDACS computer entries**

“(a) On a daily basis, all law enforcement agencies shall enter into the Indiana data and communication system (IDACS) computer the following: (4) Information contained in a protective order, including any modifications or extensions issued by a court and filed with a law enforcement agency as required in IC 5-2-9-6(f).”



**Appendix C**  
**Content Analyses of Differences between Each Repository and LACs**  
**Conducted Within Its State**





## Appendix C: Content Analyses of Differences between Each Repository and LACs Conducted Within Its State

The tables in this appendix show the differences in information identified by each of the three sources of CHRI: LACS, state central repository, and NCIC III. Offenses in Column 1 were missed by both NCIC III and NLETS unless column 3 indicates that an NCIC III check was not conducted. NCIC III checks were not conducted for cases where the LAC and the NLETS check matched on at least one offense. Vehicle code offenses were not included in this appendix unless they were coupled with a nonvehicle code offense or if a repository check identified additional CHRI. While juvenile offenses were not included in the quantitative analysis, they are shown here for purposes of illustrating offenses found and missed by each of the sources of CHRI. Blank cells do not necessarily indicate that CHRI was not found for a given source – offense information that matched another source is not listed.

**Table C. 1**  
**California Content Analysis**

<b>Alameda County Sheriff's Office LAC_CHRI Missed by NLETS</b>	<b>CHRI Found by NLETS and Missed by LACs</b>	<b>Additional CHRI Found by NCIC III</b>
	Possession of marijuana for sale (December, 1996) at San Jose State University Police & misdemeanor petty theft (October, 1997) at Santa Clara County Sheriff's Office	No NCIC Check Conducted
	Petty theft (December, 1998) at San Mateo Police Department and San Mateo County Municipal Court	No NCIC Check Conducted
	DUI, minor driving vehicle with blood alcohol of greater than .05% and driving with a suspended license (February, 2000) at San Diego County Sheriff's Office	No NCIC Check Conducted
	Disorderly conduct/prostitution (July, 1997) at San Francisco Police Department	
	Burglary (September, 1990) at Sunnyvale Police Department or Santa Clara County Municipal Court	No NCIC Check Conducted
	Assault and vandalism (February, 1998) at Toulumne County Sheriff's Office	No NCIC Check Conducted
	Misdemeanor petty theft (February, 1975)	No NCIC Check Conducted
Misdemeanor drunk in public (December, 1999)		No NCIC Check Conducted
Misdemeanor theft and misdemeanor trespassing (November, 1998)		
Misdemeanor petty theft (September, 1981)		
Misdemeanor drunk in public (April, 1991)		
DUI with prior (June, 1994)		Oklahoma: Burglary and tampering with a

DUI (September, 1988) & DUI  
(September, 1984) & DUI (August, 1981)  
& driving with a suspended license  
(February, 1986)

DUI (October, 1994)

DUI (March, 1996)

DUI (July, 1986)

DUI (January, 1986)

DUI (January, 1984) & reckless driving  
(December, 1980)

DUI (December, 1996)

motor vehicle (November, 1967) &  
eluding a police officer and no driver's  
license (December, 1968) & felony rape  
(December, 1968) & prowling (October,  
1969) & shoplifting (February, 1970)

California: Battery (July, 1987) at same  
agency

Vermont: DUI (September, 1981)

California: Public intoxication (December,  
2000) at Humboldt County Sheriff's Office

California: Possession of marijuana for  
sale (August, 1990) at Sacramento County  
Sheriff's Office & juvenile assault with a  
deadly weapon (July, 1990) at Oakland  
Police Department

**Alameda Police Department  
LAC\_CHRI Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Misdemeanor drunk in public (June, 1990)

Illinois: Aggravated battery and attempted  
armed robbery (March, 1976)

Juvenile public intoxication (November,  
1996)

Juvenile possession of a destructive device  
(August, 1997)

Juvenile felony grand theft of a firearm  
(June, 1998)

Felony burglary and felony forgery (June,  
1997)

DUI (October, 1994)

**Kern County Sheriff's Office  
LAC\_CHRI Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Juvenile possession, sales or manufacture  
of a dangerous weapon (September, 1990)

California: Juvenile possession, sales or  
manufacture of a dangerous weapon  
(September, 1990) at same agency

Spousal assault (September, 1988)

Warrant for theft (December, 1967)

No NCIC Check Conducted

Misdemeanor drunk in public (June, 1991)

Felony auto theft (September, 1994)

California: Felony embezzlement/grand  
theft (July, 1983) & felony forgery  
(August, 1983) & felony perjury (January,  
1995) at Los Angeles Police Department,

**Kern County Sheriff's Office  
LAC\_CHRI Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Felony assault with a deadly weapon other than a firearm (October, 1996)

County Sheriff's Office and Superior Court

South Carolina: Criminal sexual conduct with a minor (January, 1994)  
Maryland: Felony assault with intent to cause serious injury, felony use of a firearm, felony reckless endangerment and misdemeanor menacing (August, 1993)

**Los Angeles County Sheriff  
Automated Index LAC\_CHRI  
Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Unknown or possible record (date unknown)

Assault with a deadly weapon (September, 1994)

Failure to appear for a traffic violation (December, 1989)

Possess manufacture or sell dangerous weapon (October, 1989), assault with a deadly weapon [not firearm] (May, 1989) & carrying a loaded firearm in a public place (May, 1988)

No NCIC Check Conducted

DUI (September, 1982), driving under the influence of PCP (October, 1982), warrant for drunk driving (September, 1984), misdemeanor public intoxication & disturbing the peace (August, 1990)

Obstructing/resisting a public officer (May, 1995), possession of marijuana for sale (January, 1992), sales of marijuana, possession of marijuana for sale & battery (June, 1990), sales marijuana (November, 1989), use or under the influence of a controlled substance (December, 1984), grand theft auto (August, 1983), attempted murder (May, 1982), robbery (August, 1980), assault with a deadly weapon (November, 1975), obstructing/resisting a public officer (April, 1974), theft (July, 1971), shoplifting (November, 1970)

No NCIC Check Conducted

Felony burglary (March, 2000)

Juvenile theft of personal property (July, 1995)

No NCIC Check Conducted

Juvenile theft (May, 1995)

No NCIC Check Conducted

Misdemeanor public intoxication (January, 1982) & warrant for failure to appear (September, 1983)

Felony arson (November, 1984) & DUI (August, 1975)

No NCIC Check Conducted

DUI (September, 1986) & failure to provide (August, 1993)

Battery on a peace officer/fireman (December, 1977)

No NCIC Check Conducted

Shoplifting (October, 1999)

No NCIC Check Conducted

Attempted burglary (July, 1997)

No NCIC Check Conducted

Vandalism (March, 1998)

Theft of personal property (January, 1992)

Open warrant (date unknown)

Possible arrest for exhibiting a weapon (February, 1981)

No NCIC Check Conducted

Misdemeanor indecent exposure (April, 1979)

No NCIC Check Conducted

Failure to provide for a child (March, 1986)

No NCIC Check Conducted

**Los Angeles County Sheriff  
Automated Index LAC CHRI  
Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

DUI (May, 1977)

No NCIC Check Conducted

Misdemeanor child neglect (September, 1993) & DUI (August, 1991)

Misdemeanor willful infliction of corporal injury (January, 1999)

Misdemeanor solicitation of prostitution (September, 1989)

Misdemeanor public intoxication (September, 1974)

Misdemeanor possession of marijuana (November, 1973)

Misdemeanor obscene conduct (May, 1999)

Misdemeanor girlfriend abuse (April, 1994)

Misdemeanor false impersonation of another in private or official capacity (February, 1999)

Misdemeanor failure to provide for a child (January, 1997)

Misdemeanor failure to appear (February, 1998) & DUI (May, 1995)

Misdemeanor disturbing the peace (February, 1961)

Misdemeanor carrying a concealed weapon and misdemeanor carrying a concealed weapon in vehicle (September, 1999)

Misdemeanor battery and DUI (February, 1984)

Hit and run (April, 2000)

Felony receiving known stolen property, carrying a concealed firearm on person and vehicle and carrying a loaded firearm in a public place (December, 1993)

Felony kidnapping (June, 1980)

Felony grand theft auto (September, 1979)

Felony forcible rape (April, 1978)

Felony battery and misdemeanor warrant for failure to appear for an unknown traffic offense (January, 1980)

Failure to have a business permit to drive a taxicab, failure to have a taxicab drivers license and failure to appear on an outstanding traffic warrant (March, 1985)

DUI (September, 1985)

Maryland: Misdemeanor possession of a controlled substance (June, 1974) & misdemeanor petty larceny (September, 1975) & misdemeanor possession of a

**Los Angeles County Sheriff  
Automated Index LAC\_CHRI  
Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

DUI (October, 1985)

DUI (June, 1986)

DUI (July, 1992) & hit and run (August, 1988)

DUI (July, 1992) & DUI (March, 1992)

DUI (July, 1987) & driving with a suspended license (December, 1995)

DUI (January, 1998)

DUI (August, 1996)

DUI (August, 1991)

DUI (August 1988)

DUI (August, 1995)

Driving with a suspended license (March, 1993)

Battery (March, 1995)

controlled substance (November, 1976)  
Utah: Assault on a police officer (September, 1977) & trespassing (November, 1980) & DUI (January, 1981)

California: DUI (April, 1981) at Orange County Sheriff's Office

California: Attempted burglary and personate to make other liable (January, 1991) at same agency  
South Dakota: DUI (May, 1976) & DUI (April, 1981) & DUI (November, 1982)

Massachusetts: Aiding a prisoner to escape (November, 1962)

Arizona: Felony theft (May, 1992)

California: Unknown offense (October, 1959) at Glendora Police Department

California: Juvenile grand theft (January, 1997) & vehicle theft (April, 1997) at same agency  
Florida: Felony grand theft auto and felony burglary (August, 1998)  
Virginia: Murder (July, 2000)

**Orange County Sheriff's  
Department LAC\_CHRI Missed  
by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Warrant for DUI (June, 1993)

Violation of a court order (September, 1996)

California: Violation of a court order (September, 1996)

Juvenile misdemeanor vandalism (July, 1976) at Newport Beach Police Department and Newport Beach Municipal Court

No NCIC Check Conducted

Felony access card forgery (May, 1992) at Rancho Palos Verdes Police Department and Torrance Municipal Court

California: Felony access card forgery (May, 1992) at Rancho Palos Verdes Police Department and Torrance Municipal Court

Misdemeanor bypass meter to steal gas

Court remands for assault & battery,

**Orange County Sheriff's  
Department LAC CHRI Missed  
by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

(April, 1993)

assault on a custodial officer and battery  
on a peace officer or emergency personnel  
(January, 1986) and disturbing the peace  
(July, 1991)  
Assault and battery (November, 1990) at  
Costa Mesa Police Department and  
Newport Beach Municipal Court

Grand theft (June, 1986), selling in lieu of  
a controlled substance and receiving stolen  
property (August, 1986) & bench warrants  
for petty theft and violation of probation  
for vandalism (March, 1987)

California: Grand theft (June, 1986),  
selling in lieu of a controlled substance and  
receiving stolen property (August, 1986) &  
bench warrants for petty theft and violation  
of probation for vandalism (March, 1987)  
at same agency, Laguna Beach Police  
Department and Orange County Municipal  
Court

Speeding and failure to appear (February,  
1983) & driving with a suspended license  
and warrant for unknown offense (January,  
1994)

Misdemeanor use of watercraft while  
intoxicated (July, 1995)

Misdemeanor reckless driving causing  
injuries (March, 1998)

Misdemeanor re-arrest/revoke probation  
(March, 1992)

Misdemeanor petty theft (February, 1976)

Misdemeanor no registration and  
misdemeanor driving with a suspended  
license (November, 1991)

Larceny (April, 1980)

Juvenile misdemeanor possession of  
paraphernalia (February, 1998)

Felony possession of a controlled  
substance (April, 1980) & DUI  
(November, 1985)

Failure to submit proof of correction and  
no valid registration (March, 2000)

DUI and driving with a suspended license  
(November, 1990)

Colorado: DUI (March, 1995) &  
conditional release violation (October,  
1995) & contempt of court (May, 1996) &  
contempt of court (September, 1996) &  
misdemeanor harassment (April, 1997)

DUI (September, 1996)

DUI (September, 1992)

DUI (September, 1986)

DUI (November, 1996)

United States Navy: Burglary and sexual  
assault (September, 1992)

DUI (May, 1994)

DUI (May, 1992)

**Orange County Sheriff's  
Department LAC\_CHRI Missed  
by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

DUI (May, 1985)

DUI (March, 1998)

DUI (June, 1991)

California: DUI (December, 1977) at same  
agency

DUI (June, 1985)

DUI (July, 1987)

DUI (January, 1996)

DUI (January, 1987)

DUI (January, 1986) & DUI and re-arrest  
or revocation of probation (October, 1989)

Arizona: DUI, a moving traffic violation, a  
nonmoving traffic violation and a  
possession of marijuana (November, 1978)  
Maryland: Juvenile misdemeanor  
possession of dangerous drugs (December,  
1972) & misdemeanor insurance violation  
(October, 1975)

DUI (February, 1999)

DUI (February, 1991)

DUI (February, 1990)

DUI (December, 1992)

DUI (December, 1991)

DUI (August, 1993)

DUI (August, 1990)

DUI (March, 1990)

DUI (April, 1993)

DUI (1992)

Driving without a driver's license, unlawful  
display, misdemeanor failure to pay fine  
and a booking on a warrant (February,  
1999) & driving on a suspended license,  
speeding and a booking on a warrant (date  
unknown)

Blocking road for speed and arrest on  
bench warrant for misdemeanor failure to  
appear (November, 1990)

**Riverside County Sheriff's  
Office LAC\_CHRI Missed by  
NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Misdemeanor receiving stolen property  
(October, 1986) & misdemeanor false  
identification to a peace officer (January,  
1987) & three warrants for failure to  
appear, one for receiving stolen property  
and two for felony burglary (May, 1987)

No NCIC Check Conducted



**Riverside County Sheriff's  
Office LAC\_CHRI Missed by  
NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

	Possession of a controlled substance and use or under the influence of a controlled substance (March, 1992)	No NCIC Check Conducted
	Murder and attempted murder (September, 1974) & DUI (January, 1975) & DUI and reckless driving (July, 1976) & carrying a concealed weapon (December, 1977) & shooting at an occupied dwelling (December, 1979)	California: Murder and attempted murder (September, 1974) & DUI (January, 1975) & DUI and reckless driving (July, 1976) & carrying a concealed weapon (December, 1977) & shooting at an occupied dwelling (December, 1979) at same agency
No proof of registration and noisy modified exhaust (December, 1999) & noisy modified exhaust (August, 1999) & outstanding warrant for misdemeanor throwing substance from vehicle (October, 1995)		
Misdemeanor annoying phone calls (September, 1990)		No NCIC Check Conducted
Misdemeanor public intoxication (February, 1998)		Florida: Felony armed burglary and felony grand larceny (August, 1991) & felony aggravated battery and resisting and officer without violence (November, 1991)
Misdemeanor public intoxication (August, 1995)		
Misdemeanor petty theft (1998)		
Misdemeanor drunk in public (September, 1988)		
Juvenile misdemeanor possession of weapon on school grounds (April, 1994)		
Juvenile misdemeanor possession of knife on school campus (December, 1990)		
Juvenile felony burglary and felony possession of stolen property (December, 1997)		
Felony sex crimes with children and felony inflicting corporal injury (October, 1986)		
Driving with a suspended license (May, 1992)		

**Sacramento County Sheriff's  
Department LAC\_CHRI Missed  
by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Misdemeanor petty theft (March, 1997) & misdemeanor theft by fraud (April, 1997) & misdemeanor theft by fraud (May, 1997)	Warrant for worthless checks (July, 1994) at Santa Barbara County Sheriff's Office	California: Warrant for worthless checks (July, 1994) at Santa Barbara County Sheriff's Office
	Battery (March, 1985)	No NCIC Check Conducted
Misdemeanor trespassing and misdemeanor vandalism (March, 1999)		
Misdemeanor public intoxication (September, 1998)		

**Sacramento County Sheriff's  
Department LAC CHRI Missed  
by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Misdemeanor possession of marijuana  
(April, 1998)

Misdemeanor petty theft (June, 1997) &  
open bench warrant for failure to appear to  
work program (August, 1997) &  
misdemeanor petty theft (June, 1997) &  
bench warrant for failure to appear (July,  
1997) & open bench warrant for failure to  
appear (August, 1997)

Misdemeanor petty theft (January, 1994) &  
bench warrant for failure to appear  
(August, 1994) & evasion of transit fare  
payment (April, 1994) & bench warrant for  
failure to appear (May, 1994) & evasion of  
transit fare payment (July, 1994) & bench  
warrant for failure to appear (May, 1994)  
& misdemeanor unlicensed driver  
improper taillight and improper taillight  
height (July, 1995) & warrant for failure to  
appear (September, 1995)

Misdemeanor evading transit fare and  
nonpayment of fines (December, 1993) &  
evading transit fare and misdemeanor  
nonpayment of fines (April, 1999) &  
evading transit fare (December, 1993) &  
evading transit fare and misdemeanor  
failure to appear (April, 1994) & evading  
transit fare (December, 1994) &  
nonnotification of sale or transfer of  
vehicle (December, 1995) & misdemeanor  
willful failure to correct nonnotification of  
sale or transfer of vehicle and  
misdemeanor false information (April,  
1999)

Misdemeanor drunk in public (March,  
1987)

Evasion of transit fare (December, 1995),  
evasion of transit fare (March, 1996),  
misdemeanor failure to appear (April,  
1996), evasion of transit fare (June, 1996),  
misdemeanor failure to appear (July,  
1996), misdemeanor drunk in public  
(September, 1996), misdemeanor failure to  
appear and evasion of transit fare (July,  
1996), three infractions for evasion of  
transit fares (April, 1997), unlawful  
camping (April, 1997), smoking/eating or  
drinking while riding regional transit (July,  
1997), misdemeanor trespassing on  
railroad tracks (April, 1997), bench  
warrant for failure to appear (April, 1997),  
failure to appear for evasion of fares (May,  
1997), bench warrant for failure to appear  
for unlawful camping (May, 1997)

Active misdemeanor warrant for failure to  
appear for having no lights on a bicycle  
(May, 1998)

Nevada: Misdemeanor domestic battery  
(February, 2000)

Michigan: Larceny (November, 1998)

<b>San Bernardino County Sheriff's Office LAC CHRI Missed by NLETS</b>	<b>CHRI Found by NLETS and Missed by LACs</b>	<b>Additional CHRI Found by NCIC III</b>
DUI, failure to appear and a bench warrant for failure to pay fine (October, 1991)	Possess manufacture or sell dangerous weapons (October, 1991)	California: Possess manufacture or sell dangerous weapons (October, 1991) at same agency
Failure to wear a seatbelt (May, 2000) & failure to wear a seatbelt and speeding (April, 2000) & speeding (March, 2000)	Juvenile possess or sell a switch blade knife (October, 1997) at Upland Police Department	California: Juvenile possess or sell a switch blade knife (October, 1997) at Upland Police Department
DUI (December, 1988)		
Misdemeanor repossessed vehicle (May, 1978)	Disorderly conduct-soliciting a lewd act and disorderly conduct-prostitution (May, 1978)	
Misdemeanor drunk in public (September, 1999)	Battery with serious bodily injury (May, 1999)	California: Battery with serious bodily injury (May, 1999) at same agency United States Army: Possession, use or distribution of marijuana (April, 2000)
	Vandalism (May, 1980) at Kern County Sheriff's Office and Municipal Court	No NCIC Check Conducted
	Obstructing or resisting a public officer (March, 1995) at Montclair Police Department and San Bernardino County Municipal Court	No NCIC Check Conducted
DUI, misdemeanor no proof of insurance, failure to wear seat-belt and misdemeanor possession of marijuana (December, 1988) & felony attempted burglary (June, 1984)	Obstructing or resisting a public officer (February, 1996) at Colton Police Department	
Misdemeanor drunk in public (March, 1999)	Juvenile attempted burglary (June, 1993) at Pasadena Police Department	California: Juvenile attempted burglary (June, 1993) at Pasadena Police Department
	Failure to appear (April, 1994)	No NCIC Check Conducted
Felony grand theft of personal property (July, 1997) & misdemeanor petty theft (August, 1997)	Bench warrant for taking vehicle without owner's consent/vehicle theft (March, 2000) & military desertion (May, 2000)	No NCIC Check Conducted
	Petty theft (December, 1976)	No NCIC Check Conducted
Violating stop requirements (March, 1994) & bench warrant for failure to pay fine (November, 1994) & misdemeanor shoplifting (December, 1993) & bench warrant for failure to pay fine (January, 1996) & speeding (August, 1993) & misdemeanor failure to pay fine and bench warrant (December, 1993)		
Stopping violation and failure to appear (December, 1999) & warrant for failure to appear (May, 2000) & no license plates, smog violation and no proof of registration (March, 2000) & bench warrant for failure to appear (August, 2000) & speeding and no license plates (March, 2000) & bench warrant for failure to appear (June, 2000)		
Speeding (November, 1996) & speeding (January, 1997) & driving with a suspended license (March, 1999)		

**San Bernardino County  
Sheriff's Office LAC\_CHRI  
Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

No seat belt (December, 1999) and warrant for failure to appear for no seatbelt violation [outstanding at time of LAC] (March, 2000)

California: Misdemeanor petty theft (November, 1997) at same agency

Misdemeanor petty theft (March, 1989) & misdemeanor petty theft (August, 1991)

No NCIC Check Conducted

Felony spousal assault and felony injury to a child (May, 1997), misdemeanor failure to pay and misdemeanor disturbing the peace (June, 1989) & misdemeanor drunk in public (March, 1987)

No NCIC Check Conducted

DUI (March, 1994) & littering (October, 1993) & open container (August, 1993) & juvenile reckless driving, no registration or driver's license in vehicle and allowing open container (June, 1991)

No NCIC Check Conducted

Misdemeanor reckless driving (June, 1988)

No NCIC Check Conducted

Misdemeanor possession of marijuana (March, 1999)

No NCIC Check Conducted

Misdemeanor giving false information to a peace officer, misdemeanor unlicensed driver, child restraint law violation and operating vehicle without lighting equipment (June, 1998) & warrant for failure to appear (October, 1998) & incident report where a security guard took a gun away from subject during a domestic dispute (June, 1992)

No NCIC Check Conducted

Juvenile runaway (November, 1997)

No NCIC Check Conducted

Juvenile felony burglary (June, 1997) & juvenile felony burglary (December, 1997)

No NCIC Check Conducted

Felony willful cruelty to a child (date unknown)

No NCIC Check Conducted

DUI and misdemeanor evading an officer (May, 1983)

No NCIC Check Conducted

Driving with a suspended license (October, 1997) & no proof of insurance and failure to appear (January, 1998) & bench warrant for second failure to appear (March, 1998)

No NCIC Check Conducted

Misdemeanor violation of a restraining order (November, 1997)

Misdemeanor possession of marijuana by a driver and misdemeanor possession of marijuana (January, 1997)

Misdemeanor petty theft (May, 1995)

Misdemeanor driving with a suspended license and driving without proper registration (September, 1996)

Misdemeanor domestic battery (March, 1993)

California: DUI (November, 1978) & DUI (September, 1976) at same agency

Misdemeanor battery (June, 1989)

**San Bernardino County  
Sheriff's Office LAC\_CHRI  
Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Misdemeanor assault and battery (January, 1995)

Juvenile misdemeanor drunk in public (March, 1993)

Felony unlawful sexual intercourse with a minor 3 or more years younger (January, 1998)

Felony unlawful sexual intercourse (January, 1999)

Felony terrorist threats (September, 1999)

Felony corporal injury to a child (November, 1998)

DUI and misdemeanor speed contest (January, 1996)

DUI (October, 1997)

DUI (October, 1991)

DUI (October, 1983)

DUI (November, 1999)

DUI (July, 1994)

DUI (December, 1998) & DUI and unlicensed driver (October, 1987) & misdemeanor public intoxication (August, 1986)

DUI (December, 1988)

DUI (August, 1986)

DUI (August, 1982)

Drunk boating (date unknown)

Arrest on warrant for misdemeanor failure to appear (December, 1990)

Active warrant, no details specified (date unknown)

California: Local ordinance violation (August, 1999) at San Bernardino Probation

California: Possession of a controlled substance (March, 1996)

California: DUI (April, 1971) at Riverside County Sheriff's Office

**San Diego Police & Sheriff  
Combined Index LAC\_CHRI  
Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Speeding ticket (January, 1999)

Attempted burglary (October, 1989)

California: Attempted burglary (October, 1989) at same agency

Temporary restraining order to not purchase firearms (September, 1997)

Possession of a controlled substance or paraphernalia and a possess or sell switch-

**San Diego Police & Sheriff  
Combined Index LAC\_CHRI  
Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

	blade knife (July, 1997)	
Skateboarding where prohibited (July, 1998) and a failure to wear protective gear at a skateboard park (August, 1999)	Juvenile vandalism, obstructing or resisting a peace officer and loitering (July, 1997)	
Misdemeanor battery (November, 1995) and a speeding (October, 1995)	DUI (April, 1977)	California: DUI (April, 1977) at same agency
Trespassing and failing to obey a traffic sign (November, 1993)	Battery on a peace officer or fireman and a battery on a person (July, 1981)	California: Battery on a peace officer or fireman and a battery on a person (July, 1981) & assault and battery (November, 1990) at Costa Mesa Police Department and Newport Beach Municipal Court & court remands for assault & battery, assault on a custodial officer and battery on a peace officer or emergency personnel (January, 1986) and disturbing the peace (July, 1991) at Orange County Sheriff's Office & battery (August, 1985), preventing or dissuading a witness with threat or force and assault on a peace officer or emergency personnel (March, 1986), grand theft (December, 1991) at Newport Beach Police Department
Felony larceny (December, 1998)	Battery (September, 1996)	
DUI (September, 1993) and a DUI (July, 1999)	Battery (September, 1988) and a DUI (September, 2000) [ROI dated 9/21/2000]	California: Battery (September, 1988) and a DUI (September, 2000) [ROI dated 9/21/2000] at same agency
Seatbelt violation and a misdemeanor failure to appear (January, 1992)	NLETS shows a battery (December, 1990)	California: Battery (December, 1990) at same agency
	Possess manufacture or sell dangerous weapon (August, 1974) at Lynwood Police Department	No NCIC Check Conducted
	Petty theft (April, 1993) at Oakland Police Department and Municipal Court & theft of personal property (September, 1993) at Alameda County Sheriff's Office and Hayward Municipal Court & grand theft and false identification to a peace officer (November, 1993) also at Alameda County Sheriff's Office	No NCIC Check Conducted
	Inflicting corporal injury on a spouse (October, 1998) at King's County Sheriff's Office and Municipal Court	No NCIC Check Conducted
	Grand theft (August, 1979) at San Francisco Police Department and Municipal Court & disorderly conduct/prostitution (June, 1981) at Alameda County Sheriff's Office	No NCIC Check Conducted
Child Neglect (August, 1993), felony willful failure to appear for felony burglary (April, 1984), speeding, no proof of insurance and misdemeanor failure to appear (August, 1993)	Burglary (December, 1978), attempted burglary (July, 1984), felony burglary (January, 1986) & Misdemeanor failure to provide for a child (February, 1986)	No NCIC Check Conducted
Driving with a suspended license and failure to obey traffic control device (May, 1993)	Battery on a peace officer or fireman (September, 1973), using or under the influence of a controlled substance	No NCIC Check Conducted

San Diego Police & Sheriff Combined Index LAC CHRI Missed by NLETS	CHRI Found by NLETS and Missed by LACs	Additional CHRI Found by NCIC III
	(December, 1988) & possession or purchase of cocaine base for sale and possession of a controlled substance (January, 1990)	
	Assault with a deadly weapon/not firearm (August, 1991)	No NCIC Check Conducted
Trespassing (May, 1997)		
Speeding (May, 1994)		Maryland: Misdemeanor possession of marijuana (October, 1984)
Speeding (August, 2000)		United States Marines: Assault (June, 1998) at Camp Pendelton, CA
Restraining order to not purchase firearms (June, 1999)		
Passing school bus stopped with red lights flashing (September, 1996) & failure to display license plates, location and number [nonpayment of fine is still active] (November, 1996) & failure to obey traffic control device (February, 1999)		
Warrant for misdemeanor vandalism (March, 1996)		No NCIC Check Conducted
Warrant for failure to appear for battery (February, 2000)		No NCIC Check Conducted
Bench warrant for misdemeanor trespassing (June, 2000)		No NCIC Check Conducted
Misdemeanor violating a restraining order (January, 1999)		
Misdemeanor trespassing (April, 1994)		
Misdemeanor tampering with a vehicle and misdemeanor petty theft (September, 1996)		
Misdemeanor taking fish without a license and misdemeanor unlawful taking of fish (June, 1996)		
Misdemeanor soliciting or performing lewd acts and failure to appear (November, 1996)		
Misdemeanor solicitation of prostitution and misdemeanor offensive words in a public place (July, 1989)		
Misdemeanor solicitation of prostitution (August, 1990)		
Misdemeanor petty theft (date unknown)		
Misdemeanor obstructing/resisting peace officer (February, 1990)		Maryland: Unlawful possession of weapons and weapons violation (July, 1993)
Misdemeanor minor in possession of alcohol (September, 1992) & misdemeanor failure to appear (March, 1993) &		

**San Diego Police & Sheriff  
Combined Index LAC CHRI  
Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

unlawful pedestrian entry of roadway and unlawful use of skates, skateboards or bicycles and riding a bicycle without a white light after dark (December, 1993) & throwing a lighted cigarette out of a vehicle on highway and failure to appear (January, 1994)

Misdemeanor minor in a bar and misdemeanor presenting false identification (March, 1996)

Misdemeanor drunk in public (October, 1998)

Misdemeanor drunk in public (February, 1999)

Georgia: Misdemeanor resisting an officer, misdemeanor making a false report and possession of marijuana (July, 1997) & criminal damage to property (January, 2000)

Misdemeanor driving with a suspended license, driver's license not in possession, illegal u-turn and defective brake system (September, 1994) & misdemeanor driving on a suspended license and defective brake system (July, 1991)

Misdemeanor driving with a suspended license (July, 1998)

Misdemeanor drinking alcohol in a restricted area (July, 1995) & failure to appear (September, 1995)

Misdemeanor disturbing the peace (November, 1998) & speeding (November, 1998) & speeding (January, 1999)

Misdemeanor battery (December, 1992) & DUI (December, 1997) & failure to wear seatbelts and no evidence of insurance (October, 1999)

Minor in possession of alcohol (May, 1997)

Felony unlawful sexual intercourse with a minor more than 3 years younger (May, 1999)

Felony inflicting corporal injury upon a spouse (August, 1996) & misdemeanor hit and run (December, 1998)

Felony corporal injury to spouse and misdemeanor battery (October, 1996), misdemeanor fighting in a public place (August, 1996), warrant for failure to appear (April, 1997), violation of probation (August, 1997) and warrant for failure to appear and to provide proof of progress in domestic violence education (January, 1998)

Felony burglary (date unknown)

California: Misdemeanor possess manufacture or sell dangerous weapon (December, 1992) at same agency



**San Diego Police & Sheriff  
Combined Index LAC\_CHRI  
Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Employee embezzlement (October, 1996)

DUI and unlicensed driver (November, 1990)

DUI and reckless driving (February, 1998)

DUI and failure to pay installment fine (November, 1995) & warrant for failure (January, 1996) & tail lamp out and unlicensed driver (February, 1993) & speeding and sun screen on side window violation (September, 1988) & misdemeanor failure to appear (May, 1989) & active misdemeanor bench warrant for possibly violating a work release program (January, 1996) & driving with a suspended license, incompetent driving acts and tail lamp out (date unclear)

DUI (September, 1991)

DUI (September, 1986)

DUI (October, 1994)

DUI (October, 1990)

DUI (November, 1993) & DUI (July, 1993)

DUI (November, 1990)

DUI (May, 1991)

DUI (March, 1999) & DUI (July, 1998) & speeding (July, 1996) & failure to drive on right half of roadway and unsafe turn without signaling (April, 1998)

DUI (March, 1998)

DUI (March, 1994)

DUI (July, 1993)

DUI (January, 1993)

DUI (February, 1991) & violation of probation for DUI (August, 1991)

DUI (August, 1995) & DUI (December, 1988) & DUI and unlicensed driver (June, 1987)

DUI & Speeding (September, 1998)

DUI & misdemeanor refusing to present driver's license to police officer (May, 1994)

DUI and misdemeanor reckless driving

California: DUI (April, 1973) at same agency

Arizona: Felony DUI and misdemeanor threatening (May, 1996)

United States Navy: Use or possession of drugs (April, 1994)

Virginia: Possession of marijuana (November, 1982)

**San Diego Police & Sheriff  
Combined Index LAC\_CHRI  
Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

(March, 1994)

Drinking in a controlled area,  
misdemeanor minor and possession of  
alcohol and failure to appear (July, 1998)

Battery (May, 1999) & entering  
intersection on a red arrow (January, 1999)

New York: Possession of marijuana  
(October, 1983)

California: Misdemeanor possession of  
stolen property and misdemeanor unlawful  
taking of a vehicle (August, 1993) at same  
agency

California: Unknown offense (December,  
1995) & speeding (June, 1996) at same  
agency

Iowa: Possession of Marijuana (January,  
1999) & possession of a controlled  
substance (March, 1999)

**Santa Clara County Municipal  
Court LAC\_CHRI Missed by  
NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Misdemeanor DUI and driving without a  
license (September, 1985), a misdemeanor  
drunk in public and misdemeanor fighting  
in a public place (March, 1986) and  
misdemeanor driving without a license  
(November, 1987)

Misdemeanor drawing or exhibiting a  
firearm, concealed firearm in vehicle and  
carrying a loaded firearm on one's person  
in a city (February, 1991)

Misdemeanor worthless check (June,  
1999)

Assault and battery (November, 1986)

Felony kidnapping, felony rape and  
inflicting corporal injury upon a spouse  
(April, 1995)

Warrant for driving with a suspended  
license and a warrant for possession of a  
bad check or money order (April, 1998) at  
Monterey County Sheriff's Office and  
Municipal Court & possession of forged  
notes or stamps (January, 1999) at  
Monterey County Sheriff's Office.

Battery on a peace officer/emergency  
personnel, evading peace officer causing  
injury or death and DUI (February, 1987)  
Petty theft (July, 1985) at Concord Police  
Department and Municipal Court &  
reckless or negligent use of a watercraft  
(July, 1998) at Stockton Sheriff's Office

Vandalism (March, 1993) at Santa Clara  
County Sheriff's Office

Misdemeanor obstructing or resisting a  
public officer, misdemeanor trespassing  
and misdemeanor disturbing the peace  
(August, 1997)

California: Assault and battery (November,  
1986) at same agency and Sunnyvale  
Police Department

California: Felony kidnapping, felony rape  
and inflicting corporal injury upon a  
spouse (April, 1995) at same agency

California: Warrant for driving with a  
suspended license and a warrant for  
possession of a bad check or money order  
(April, 1998) at Monterey County Sheriff's  
Office and Municipal Court & possession  
of forged notes or stamps (January, 1999)  
at Monterey County Sheriff's Office  
Ohio: Grand theft and possession of  
criminal tools (December, 1983) & grand  
theft motor (January, 1984)

No NCIC Check Conducted

No NCIC Check Conducted

No NCIC Check Conducted

**Santa Clara County Municipal  
Court LAC\_CHRI Missed by  
NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Misdemeanor reckless driving,  
misdemeanor evading a peace officer and  
driving without a drivers license (June,  
1992)

Misdemeanor assault and battery, damage  
to power lines & misdemeanor obstructing  
or resisting a peace officer (November,  
1995)

No NCIC Check Conducted

Failure to provide for a child (September,  
1985)

Annoying or molesting children (August,  
1995)

No NCIC Check Conducted

Obstructing or resisting a public officer  
and possessing manufacturing or selling  
dangerous weapons (May, 1983)

No NCIC Check Conducted

Misdemeanor vandalism (June, 1991)

No NCIC Check Conducted

Misdemeanor drunk in public (February,  
1993)

No NCIC Check Conducted

Misdemeanor drunk in public (April, 1997)  
& DUI (December, 1994)

No NCIC Check Conducted

Misdemeanor petty theft (May, 1996)

Misdemeanor minor in possession of  
alcoholic beverages (April, 1998)

DUI and driving without a license (August,  
1999)

DUI (February, 1997)

Bench warrant for failure to appear  
(February, 1996) & bench warrant for  
failure to pay fine [outstanding at time of  
LAC] (December, 1999) & misdemeanor  
open container with a bench warrant for  
failure to appear (May, 1999) & bench  
warrant for failure to appear [outstanding  
at time of LAC] (August, 1999)

Kansas: DUI (June, 2000)

**Solano County Sheriff's Office  
LAC\_CHRI Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Felony military desertion (July, 1998)

No NCIC Check Conducted

Misdemeanor public intoxication (January,  
2000)

Nevada: DUI and resisting a public officer  
(December, 1999)

Misdemeanor auto tampering (March,  
1992)

DUI (January, 1994)

## C. 2 Florida Content Analysis

Bay County Court LAC CHRI Missed by NLETS	CHRI Found by NLETS and Missed by LACs	Additional CHRI Found by NCIC III
	DUI (October, 2000) at Florida Highway Patrol-Crestview	No NCIC Check Conducted
	Felony flight to avoid arrest (May, 1993)	No NCIC Check Conducted
	DUI (January, 1990)	No NCIC Check Conducted
	DUI (September, 1999)	No NCIC Check Conducted
	Failure to appear for petty theft (February, 1990)	No NCIC Check Conducted
	DUI (December, 1986)	No NCIC Check Conducted
	Juvenile larceny (July, 1997)	No NCIC Check Conducted
Misdemeanor minor in possession of alcohol (February, 1998)	Misdemeanor failure to appear (December, 1998) & misdemeanor failure to appear (August, 1998) & felony burglary (March, 1998) & misdemeanor possession of marijuana (May, 1997)	No NCIC Check Conducted
Misdemeanor battery (August, 1993)		No NCIC Check Conducted
Misdemeanor worthless checks (October, 2000)		
Misdemeanor open container (date unknown)		
Misdemeanor minor in possession of alcohol (June, 1998)		
Misdemeanor minor in possession of alcohol (August, 1991)		
Misdemeanor disorderly conduct (November, 1997) & misdemeanor outstanding warrant for failure to return a plea (January, 1998) & misdemeanor worthless checks (January, 1998)		
Misdemeanor disorderly conduct (January, 1992)		
Harvesting fish in a closed area (February, 1997)		
DUI (August, 1985)		

Brevard County Sheriff LAC CHRI Missed by NLETS	CHRI Found by NLETS and Missed by LACs	Additional CHRI Found by NCIC III
	Assault and possession of marijuana (October, 1978) at Marion County Sheriff's Office & misdemeanor surfing in a restricted area (July, 1980) at Jacksonville Beach PD	No NCIC Check Conducted
	Misdemeanor possession of marijuana (June, 1977)	No NCIC Check Conducted
	Assault and battery (July, 1980)	No NCIC Check Conducted

<b>Brevard County Sheriff LAC CHRI Missed by NLETS</b>	<b>CHRI Found by NLETS and Missed by LACs</b>	<b>Additional CHRI Found by NCIC III</b>
	Juvenile felony burglary and misdemeanor larceny (December, 1997) & juvenile misdemeanor domestic battery (April, 1998)	No NCIC Check Conducted
	Juvenile felony burglary and misdemeanor petty larceny (May, 1999)	No NCIC Check Conducted
	Misdemeanor possession of marijuana (January, 1986) & misdemeanor petty larceny (March, 1986)	No NCIC Check Conducted
Misdemeanor possession of marijuana and misdemeanor possession of paraphernalia (June, 1999)		No NCIC Check Conducted
Misdemeanor minor in possession of alcohol (June, 1993)		No NCIC Check Conducted
Misdemeanor resisting officer without violence (May, 1992)		

<b>Broward County Sheriff LAC CHRI Missed by NLETS</b>	<b>CHRI Found by NLETS and Missed by LACs</b>	<b>Additional CHRI Found by NCIC III</b>
	Felony grand theft and misdemeanor petty larceny (July, 1999) at Palm Beach County Sheriff and Court	No NCIC Check Conducted
Outstanding warrant for misdemeanor theft to deprive (December, 1994)		No NCIC Check Conducted
	Resisting officer and public intoxication (march, 1974) & DUI (December, 1976)	No NCIC Check Conducted
Speeding (November, 1999) & disobeying a traffic device (March, 1999) & suspended driver's license for paying fine with a bad check (August, 1999) & speeding (January, 1999) & leaving running auto unattended (December, 1998) & expired tags (October, 1999) & speeding in a school zone (November, 1997)	Misdemeanor petty theft (October, 1997)	No NCIC Check Conducted
Disobeying/avoiding red light and failure to display vehicle registration (July, 1997) & license suspension for failure to pay fines (August, 1997) & failure to pay fines (February, 1999) & riding a bicycle without a headlight (October, 1997) & license suspension for failure to pay fine (November, 1997) & failure to appear for trespassing (February, 1998) & driving on a suspended license and disobeying/avoiding a traffic device (December, 1997) & warrant for failure to appear (August, 1998) & misdemeanor underage possession of alcohol (January, 1998) & failure to pay fine and failure to appear (December, 1999) & outstanding warrants for trespassing and driving on a suspended license (March, 1998) & warrant for failure to appear (April, 1998) & out of state registration tags, unlawful license tag, license suspended without knowledge, insurance required and license		No NCIC Check Conducted

**Broward County Sheriff LAC  
CHRI Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

not carried (March, 1998) & warrant for failure to appear (April, 1998) & failure to use due care, no registration certificate, no proof of insurance, driving with a suspended license and outstanding warrants for out of state tags/unlawful license tag/sticker, and trespassing (May, 1998) & riding a bicycle without a headlight, 6/2/98; failure to pay fine and license suspension, 2/8/99; riding a bicycle without a headlight and an arrest for outstanding warrants (June, 1998) & failure to pay traffic ticket for riding bicycle without a headlight (February, 1999)

Misdemeanor minor in possession of alcohol (May, 1995)

Misdemeanor theft (July, 1999)

Misdemeanor simple domestic battery (September, 1994)

Misdemeanor possession of stolen property (March, 1994)

Juvenile misdemeanor possession of tobacco (November, 1998)

DUI (February, 1989)

Battery (May, 1998)

**Duval County Sheriff LAC  
Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Misdemeanor retail theft (March, 1995) at Highland County Sheriff's Office

No NCIC Check Conducted

Misdemeanor urinating in public (April, 1998) & failure to appear for a reflected charge of impregnating a child over 16 (June, 1997) & misdemeanor trespassing and misdemeanor resisting/opposing a peace officer (October, 1996) & misdemeanor trespassing (April, 1996)

No NCIC Check Conducted

Violation of probation for DUI (January, 1987)

No NCIC Check Conducted

Misdemeanor disorderly intoxication (January, 1994)

No NCIC Check Conducted

Misdemeanor possession of drug paraphernalia (March, 1995)

Outstanding warrant for passing a worthless check (April, 1995)

Misdemeanor leaving the scene of an accident, careless driving and having no insurance (December, 1995) & misdemeanor worthless checks (March, 1995)

<b>Hillsborough County Sheriff LAC CHRI Missed by NLETS</b>	<b>CHRI Found by NLETS and Missed by LACs</b>	<b>Additional CHRI Found by NCIC III</b>
	Probation violation for a worthless check offense (June, 1996) & felony aggravated assault and felony aggravated battery with a deadly weapon (March, 1997) at the Palm Beach County Sheriff and courts	No NCIC Check Conducted
	Felony marijuana production (June, 1977)	No NCIC Check Conducted
Misdemeanor petty theft, reckless driving and driving with a suspended license (February, 1993) & violation of probation (March, 1996)		
Misdemeanor minor in possession of alcohol and open container (February, 1998)		
Misdemeanor domestic battery (July, 1995) & misdemeanor worthless check (December, 1996)		
Misdemeanor disorderly intoxication (November, 1984)		
Juvenile felony attempted armed burglary and felony aggravated assault (November, 1993)		

<b>Miami-Dade Police &amp; Sheriff LAC CHRI Missed by NLETS</b>	<b>CHRI Found by NLETS and Missed by LACs</b>	<b>Additional CHRI Found by NCIC III</b>
Misdemeanor theft of a decal (October, 1997)		No NCIC Check Conducted
	Felony aggravated assault (August, 1992) at Okaloosa County Sheriff's Office and Pensacola State Attorney	No NCIC Check Conducted
Felony battery (April, 1990)	Assault and battery (November, 1989)	No NCIC Check Conducted
Retail theft (June, 1981)		
Misdemeanor retail theft (January, 1997)		
Juvenile misdemeanor vagrancy, breaking and entering and felony grand larceny (December, 1956)		
Juvenile felony accessory after the fact to grand theft auto (March, 1997)		
DUI (June, 1975)		

<b>Orange County Sheriff LAC CHRI Missed by NLETS</b>	<b>CHRI Found by NLETS and Missed by LACs</b>	<b>Additional CHRI Found by NCIC III</b>
Misdemeanor affray arrest (March, 2000) & misdemeanor resisting arrest without violence (April, 2000) & failure to appear with an active warrant for resisting arrest (June, 2000)	NLETS indicated CHRI had been purged.	No NCIC Check Conducted
	Misdemeanor possession of alcohol and misdemeanor possession of marijuana (June, 1999)	No NCIC Check Conducted

<b>Orange County Sheriff LAC CHRI Missed by NLETS</b>	<b>CHRI Found by NLETS and Missed by LACs</b>	<b>Additional CHRI Found by NCIC III</b>
Juvenile misdemeanor retail theft (October, 1994)		No NCIC Check Conducted
Misdemeanor domestic violence (September, 1995)		No NCIC Check Conducted
Juvenile misdemeanor petty theft (March, 1998)		No NCIC Check Conducted
Misdemeanor solicitation of prostitution (March, 1998)		
Misdemeanor domestic battery (August, 1995)		
Juvenile misdemeanor possession of cannabis (November, 1997)		

<b>Palm Beach County Sheriff LAC CHRI Missed by NLETS</b>	<b>CHRI Found by NLETS and Missed by LACs</b>	<b>Additional CHRI Found by NCIC III</b>
Misdemeanor possession of marijuana and a misdemeanor possession of paraphernalia (July, 1998)	Misdemeanor trespassing (October, 1995) & violation of probation for trespassing (February, 1996) at Martin County Sheriff	Misdemeanor trespassing (October, 1995) at Martin County Sheriff's Office
	Misdemeanor disorderly conduct and improper exhibition of a firearm (June, 1991) at Wilton Manors Police Department (Orlando Area) & misdemeanor disorderly conduct (June, 1992) at an undisclosed agency	No NCIC Check Conducted
Failure to appear for DUI (October, 1997) & active warrant for failure to appear for DUI (July, 1998)		No NCIC Check Conducted
Misdemeanor retail theft (March, 2000) & warrant for failure to appear (May, 2000) & misdemeanor battery (July, 1999)		
Misdemeanor open container (September, 1992) & misdemeanor trespassing (March, 1988)		
Careless driving after a vehicle accident (April, 1982)		

<b>Pensacola State Attorney LAC CHRI Missed by NLETS</b>	<b>CHRI Found by NLETS and Missed by LACs</b>	<b>Additional CHRI Found by NCIC III</b>
	Misdemeanor disorderly intoxication and misdemeanor resisting an officer without violence (April, 1984) & DUI (September, 1985) & DUI (May, 1987) at Duval County Sheriff's Office and courts and at Orlando Police	No NCIC Check Conducted
	Driving with a suspended license (January, 2000)	No NCIC Check Conducted
	Juvenile felony burglary and a felony grand larceny (April, 1996)	No NCIC Check Conducted
	Misdemeanor trespassing (August, 1983)	No NCIC Check Conducted



**Pensacola State Attorney LAC  
CHRI Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Misdemeanor worthless check (date  
unknown)

No NCIC Check Conducted

Felony burglary and battery (November,  
1990)

Worthless check (October, 1997) &  
worthless check (May, 1997)

Worthless check (January, 1997) &  
worthless checks (March, 1995) &  
worthless checks (October, 1998)

Undisclosed marijuana violation (April,  
1998)

Misdemeanor petty theft (July, 1998)

Misdemeanor no insurance violation (date  
unknown)

Misdemeanor misrepresentation of age to  
purchase alcoholic beverage (August,  
1999)

Misdemeanor minor in possession of  
alcohol (April, 2000)

Misdemeanor criminal mischief (October,  
1999)

Misdemeanor criminal mischief (July,  
2000)

Misdemeanor child abuse (date unknown)

Misdemeanor battery (May, 1997)

Game and fish no license as required  
(September, 1990)

Felony worthless check (January, 1998)

Felony aggravated battery (January, 1996)

County noise ordinance violation  
(December, 1994)

Child abuse (December, 1992)

Child abuse (April, 1995)

**Pinellas County Sheriff LAC  
CHRI Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Misdemeanor restricted area violation  
(May, 2000) & misdemeanor worthless  
checks (April, 2000) & misdemeanor  
worthless checks (May, 2000) & failure to  
appear for worthless checks (June, 2000)  
& misdemeanor worthless checks (August,  
2000) & failure to appear for worthless  
checks (August, 2000) & misdemeanor  
worthless checks (August, 2000) & failure  
to appear for worthless checks (August,  
2000) & misdemeanor failure to pay fine  
for restricted area violation (August, 2000)

**Pinellas County Sheriff LAC  
CHRI Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Juvenile misdemeanor disorderly conduct  
(March, 1998) & juvenile felony burglary  
(July, 1999)

Juvenile misdemeanor disorderly conduct  
(June, 1999)

Misdemeanor resisting arrest (September,  
1988) at Duval County Sheriff's Office

No NCIC Check Conducted

Juvenile felony aggravated assault,  
disorderly conduct and affray (September,  
1997)

No NCIC Check Conducted

DUI (May, 1979)

No NCIC Check Conducted

No NCIC Check Conducted

Misdemeanor minor in possession of  
alcohol (April, 1997) & misdemeanor petty  
theft (December, 1997) & misdemeanor  
unregistered vehicle (February, 1999) &  
failure to appear (March, 1999) & careless  
driving and license not carried/exhibited  
(May, 1995) & failure to obey traffic  
device (August, 1995) & driving with a  
suspended license (April, 1996) & driving  
with a suspended license (February, 1997)  
& driving vehicle in unsafe condition  
(February, 1999) & failure to dim  
headlights (February, 1999) & failure to  
change name and address on license and  
no insurance (February, 1999) & must  
specify temporary tag (March, 1999)

DUI and driving with a suspended license  
(March, 1997)

Restricted access violation (April, 1999) &  
misdemeanor arrest on a warrant for  
violation of probation for battery (July,  
1991)

Noise ordinance violation (February, 1994)

Misdemeanor worthless check (December,  
1996)

Misdemeanor possession of marijuana  
(August, 1997)

Misdemeanor minor in possession of  
alcohol (March, 1995)

Misdemeanor carrying a concealed weapon  
(June, 1995)

Juvenile misdemeanor affray (October,  
1998)

DUI (September, 1987)

**Volusia County Sheriff  
LAC\_CHRI Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

Possession of a suspended drivers license  
and driving with a suspended license  
(August, 1991)

Misdemeanor reckless driving (October,  
1998) at Seminole County Sheriff's Office

Misdemeanor reckless driving (October,  
1998) at Seminole County Sheriff's Office

DUI (February, 1982)

No NCIC Check Conducted

Misdemeanor simple domestic battery &

**Volusia County Sheriff  
LAC\_CHRI Missed by NLETS**

**CHRI Found by NLETS and  
Missed by LACs**

**Additional CHRI Found by  
NCIC III**

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misdeemeanor disorderly intoxication  
(April, 1998) & misdemeanor disorderly  
intoxication (November, 1997)

Misdemeanor retail theft (July, 1999)

Misdemeanor possession of a controlled  
substance & misdemeanor possession of  
paraphernalia (July, 1999)

Misdemeanor disorderly intoxication  
(February, 1995)

Misdemeanor disorderly conduct (March,  
2000)

Juvenile contempt of court (February,  
1998)

Failure to appear & driving with a  
suspended license (March, 1996)

Assorted speared fish, spearfish equipment  
and speared snook (May, 1974)

**Table C.2**  
**Summary of Pennsylvania LAC Offenses Not Found Through Either NLETS**  
**or NCIC III**

<i>Offense Category</i>		<i>Date Of Offense Within 7 Year Scope</i>		<i>Date of Offense Outside 7 Year Scope</i>	
		<i>Adult</i>	<i>Juvenile</i>	<i>Adult</i>	<i>Juvenile</i>
Any Felony		5	22	2	3
Misdemeanors	Weapons/Explosives	1	3	—	—
	Drugs	3	8	1	—
	Alcohol	11	3	10	—
	DUIs <sup>11</sup>	10	3	7	—
	All Other <sup>12</sup>	18	51	8	5
Summaries	Weapons/Explosives	1	—	—	—
	Drugs	2	—	—	—
	Alcohol	62	14	12	4
	All Other	90	88	28	13
Level Unspecified	Weapons/Explosives	—	2	—	—
	Drugs	—	—	—	1
	Alcohol	—	—	1	1
	All Other	23	29	7	4
NonFelony / NonAlcohol Vehicle Code Offenses		113	28	47	2

<sup>11</sup> The total number DUIs are included in the misdemeanor alcohol category

<sup>12</sup> Offenses in "All Other" category for each level include:

Simple assault / Criminal attempt / Minors law violation / Criminal conspiracy / Criminal contempt of court / Curfew / Disorderly conduct / Noise ordinance / Reckless endangerment / Carrying false identification / Fighting / Unlawful taking or possession of game or wildlife / Execution of documents by deception / Harassment / Enticing minor into vehicle / Littering / Loitering and prowling / Criminal mischief / Possession of fireworks / Possession of tobacco on school grounds / Receiving stolen property / Retail theft / Terrorist threats / Theft / Criminal trespass / Vandalism / Bench warrant for failure to appear / Passing a worthless check / Curfew ordinance / Dog-at-large / False imprisonment / Tampering or fabricating physical evidence / Possession of an instrument of crime / Sale of tobacco to minors / Indecent assault / Indecent exposure / Unauthorized use of an automobile / Truant

**Table C.3**  
**Summary of Indiana LAC Offenses Not Found Through Either NLETS**  
**or NCIC III**

<i>Offense Category</i>		<i>Date Of Offense Within 7 Year Scope</i>		<i>Date of Offense Outside 7 Year Scope</i>	
		<i>Adult</i>	<i>Juvenile</i>	<i>Adult</i>	<i>Juvenile</i>
Any Felony		26	4	7	—
	Weapons/Explosives	3	1	1	—
	Drugs	15	1	1	—
Misdemeanors	Alcohol	178	8	66	—
	DUIs <sup>13</sup>	42	26	—	—
	All Other Offenses <sup>14</sup>	113	14	31	2
Level	Drugs	1	—	—	—
Unspecified	All Other Offenses	14	9	4	2
NonFelony / NonAlcohol Vehicle Code Offenses		138	3	23	—

<sup>13</sup> The total number of DUIs are included in the misdemeanor alcohol category

<sup>14</sup> Offenses in the "All Other Offenses" category for each level include

Battery on a police officer / Battery / Assisting a criminal / Absent without leave violation / Aiding a minor into being a runaway / Contributing to the delinquency of a minor / Furnishing alcohol to a minor / Contempt of court / Criminal conversation / Disorderly conduct / Giving false information to a police officer / Possession of a forged parking permit / Unauthorized possession/use of license / Criminal deception / Failure to appear / Nonaggravated intimidation / Harassment / Littering / Illegal dumping of solid waste / Visiting a common nuisance / Resisting law enforcement / Criminal recklessness / Voyeurism / Indecent exposure / Stalking / Larceny / Theft by conversion / Theft / Check deception / Curfew violation / Delinquent child / Criminal mischief / Possession of stolen property / Fleeing a police officer / Retail theft / Runaway / Trespassing / Violation of probation

## **Appendix D**

### **Offenses for Subjects Who Would Not Have Been Flagged by Either the State or NCIC III Repositories As Having Criminal Records**



## **Appendix D: Offenses for Subjects Who Would Not Have Been Flagged by Either the State or NCIC III Repositories As Having Criminal Records**

**Table D.1**  
**California**

- Felony battery and misdemeanor warrant for failure to appear for an unknown traffic offense (January, 1980)
- Felony burglary (date unknown)
- Felony corporal injury to a child (November, 1998)
- Felony inflicting corporal injury upon a spouse (August, 1996) & misdemeanor hit and run (December, 1998)
- Felony receiving stolen property and carrying concealed weapon vehicle and carrying a loaded firearm (December, 1993)
- Felony kidnapping (June, 1980)
- Felony possession of a controlled substance (April, 1980) & DUI (November, 1985)
- Felony receiving known stolen property, carrying a concealed firearm on person and vehicle and carrying a loaded firearm in a public place (December, 1993)
- Felony forcible rape (April, 1978)
- Felony unlawful sexual intercourse with a minor more than 3 years younger (May, 1999)
- Felony sex crimes with children and felony inflicting corporal injury (October, 1986)
- Felony unlawful sexual intercourse (January, 1999)
- Felony unlawful sexual intercourse with a minor 3 or more years younger (January, 1998)
- Misdemeanor battery (June, 1989)
- Misdemeanor assault and battery (January, 1995)
- Misdemeanor battery and DUI (February, 1984)
- Misdemeanor battery (December, 1992) & DUI (December, 1997) & failure to wear seatbelts and no evidence of insurance (October, 1999)
- Misdemeanor drinking alcohol in a restricted area (July, 1995) & failure to appear (September, 1995)
- Misdemeanor failure to provide for a child (January, 1997)
- Misdemeanor violation of a restraining order (November, 1997)
- Misdemeanor disturbing the peace (February, 1961)
- Misdemeanor drunk in public (April, 1991)
- Misdemeanor disturbing the peace (November, 1998) & speeding (November, 1998) & speeding (January, 1999)
- Misdemeanor girlfriend abuse (April, 1994)
- Misdemeanor willful infliction of corporal injury (January, 1999)
- Misdemeanor minor in a bar and misdemeanor presenting false identification (March, 1996)
- Misdemeanor false impersonation of another in private or official capacity (February, 1999)



- Misdemeanor taking fish without a license and misdemeanor unlawful taking of fish (June, 1996)
- Arrest on warrant for misdemeanor failure to appear (December, 1990)
- Misdemeanor minor in possession of alcohol (September, 1992) & misdemeanor failure to appear (March, 1993) & unlawful pedestrian entry of roadway and unlawful use of skates, skateboards or bicycles and riding a bicycle without a white light after dark (December, 1993) & throwing a lighted cigarette out of a vehicle on highway and failure to appear (January, 1994)
- Bench warrant for violation of probation (May, 1999)
- Misdemeanor carrying a concealed weapon and misdemeanor carrying a concealed weapon in vehicle (September, 1999)
- Misdemeanor public intoxication (August, 1995)
- Misdemeanor public intoxication (September, 1998)
- Misdemeanor drunk in public (March, 1987)
- Misdemeanor drunk in public (September, 1988)
- Misdemeanor drinking in public (January, 1997)
- DUI (December, 1998) & DUI and unlicensed driver (October, 1987) & misdemeanor public intoxication (August, 1986)
- Misdemeanor public intoxication (September, 1974)
- Misdemeanor drunk in public (June, 1991)
- Misdemeanor drunk in public (October, 1998)
- Drinking in a controlled area, misdemeanor minor and possession of alcohol and failure to appear (July, 1998)
- Misdemeanor minor in possession of alcoholic beverages (April, 1998)
- Misdemeanor possession of marijuana (November, 1973)
- Misdemeanor possession of marijuana by a driver and misdemeanor possession of marijuana (January, 1997)
- Misdemeanor possession of marijuana (April, 1998)
- Misdemeanor petty theft (February, 1976)
- Violating stop requirements (March, 1994) & bench warrant for failure to pay fine (November, 1994) & misdemeanor shoplifting (December, 1993) & bench warrant for failure to pay fine (January, 1996) & speeding (August, 1993) & misdemeanor failure to pay fine and bench warrant (December, 1993)
- Misdemeanor tampering with a vehicle and misdemeanor petty theft (September, 1996)
- Misdemeanor petty theft (1998)
- Misdemeanor petty theft (May, 1996)
- Misdemeanor auto tampering (March, 1992)
- Misdemeanor petty theft (January, 1994) & bench warrant for failure to appear (August, 1994) & evasion of transit fare payment (April, 1994) & bench warrant for failure to appear (May, 1994) & evasion of transit fare payment (July, 1994) & bench warrant for failure to appear (May, 1994) & misdemeanor unlicensed driver improper taillight and improper taillight height (July, 1995) & warrant for failure to appear (September, 1995)
- Misdemeanor petty theft (September, 1981)
- Misdemeanor petty theft (date unknown)

- Misdemeanor solicitation of prostitution (August, 1990)
- Misdemeanor obscene conduct (May, 1999)
- Misdemeanor soliciting or performing lewd acts and failure to appear (November, 1996)
- Misdemeanor solicitation of prostitution and misdemeanor offensive words in a public place (July, 1989)
- Misdemeanor solicitation of prostitution (September, 1989)
- Theft of personal property (January, 1992)
- Misdemeanor trespassing on school grounds (June, 1998)
- Misdemeanor trespassing and misdemeanor vandalism (March, 1999)
- Vandalism (March, 1998)
- Spousal assault (September, 1988)
- Employee embezzlement (October, 1996)
- Failure to have a business permit to drive a taxicab, failure to have a taxicab driver's license and failure to appear on an outstanding traffic warrant (March, 1985)
- Restraining order to not purchase firearms (June, 1999)
- Larceny (April, 1980)
- Open warrant (date unknown)

**Table D.2**  
**Florida**

- Felony aggravated battery (January, 1996)
- Misdemeanor carrying a concealed weapon (June, 1995)
- Misdemeanor possession of stolen property (March, 1994)
- Child abuse (December, 1992)
- Child abuse (April, 1995)
- Misdemeanor simple domestic battery (September, 1994)
- Misdemeanor domestic battery (August, 1995)
- Misdemeanor battery (May, 1997)
- Misdemeanor domestic battery (July, 1995) & misdemeanor worthless check (December, 1996)
- Misdemeanor retail theft (March, 2000) & warrant for failure to appear (May, 2000) & misdemeanor battery (July, 1999)
- Misdemeanor simple domestic battery and misdemeanor disorderly intoxication (April, 1998) & misdemeanor disorderly intoxication (November, 1997)
- Misdemeanor disorderly intoxication (February, 1995)
- Misdemeanor disorderly intoxication (November, 1984)
- Retail theft (June, 1981)
- Misdemeanor petty theft, reckless driving and driving with a suspended license (February, 1993) & violation of probation (March, 1996)
- Failure to appear for retail theft, no date; and misdemeanor retail theft (January, 1997)
- Misdemeanor solicitation of prostitution (March, 1998)
- Battery (May, 1998)
- Misdemeanor theft (July, 1999)

- Misdemeanor theft of a decal (October, 1997)
- Misdemeanor resisting officer without violence (May, 1992)
- Misdemeanor minor in possession of alcohol (May, 1995)
- Misdemeanor minor in possession of alcohol and open container (February, 1998)
- Misdemeanor open container (September, 1992) & misdemeanor trespassing (March, 1988)
- Assorted speared fish, spearfish equipment and speared snook (May, 1974)
- Misdemeanor retail theft (January, 1997)
- Misdemeanor minor in possession of alcohol (January, 1999)

**Table D.3  
Pennsylvania**

<i>Offense Category</i>	<i>Date Of Offense Within 7 Year Scope</i>		<i>Date of Offense Outside 7 Year Scope</i>	
	<i>Adult</i>	<i>Juvenile</i>	<i>Adult</i>	<i>Juvenile</i>
Any Felony	4	18	—	1
Weapons/Explosives	1	2	—	—
Drugs	2	3	1	—
Misdemeanors Alcohol	10	1	7	—
DUIs <sup>15</sup>	10	1	6	—
All Other <sup>16</sup>	12	38	2	2
Drugs	2	—	—	—
Summaries Alcohol	46	13	7	2
All Other	48	61	8	4
Weapons/Explosives	—	1	—	—
Level Unspecified Alcohol	—	—	1	1
All Other	31	29	7	4
NonFelony / NonAlcohol Vehicle Code Offenses	75	13	27	—

<sup>15</sup> Misdemeanor DUIs are also included in the general misdemeanor alcohol offense category

<sup>16</sup> Offenses in the "All Other" category for each level include:

Carrying false identification / Conspiracy to commit burglary / Conspiracy to commit criminal mischief / Contempt of court for failure to respond / Criminal attempt / Criminal conspiracy / Criminal conspiracy to commit theft / Criminal mischief / Criminal trespass / Curfew violation / Defiant trespass / Disorderly conduct / Disorderly house / Dog-at-large violation / Execution of documents by deception / Fighting / Forgery / Harassment / Indecent assault / Indecent exposure / Littering / Loitering / False imprisonment / Noise ordinance / Outstanding fugitive warrant / Possession of fireworks / Prohibited use of tobacco on school grounds / Receiving stolen property / Reckless endangerment / Retail theft / Sale and use of air rifles / Sale of tobacco to minors / Simple assault / Tampering / Fabricating physical evidence / Terrorist threats / Theft / Trespassing / Trespassing at a railroad crossing / Truancy violation / Unlawful taking of game / Worthless Check

**Table D.4**  
**Indiana**

<i>Offense Category</i>		<i>Date Of Offense Within 7 Year Scope</i>		<i>Date of Offense Outside 7 Year Scope</i>	
		<i>Adult</i>	<i>Juvenile</i>	<i>Adult</i>	<i>Juvenile</i>
Any Felony		15	1	7	—
	Weapons/Explosives	2	—	1	—
	Drugs	12	—	1	—
Misdemeanors	Alcohol	152	6	52	—
	DUIs <sup>17</sup>	32	—	19	—
	All Other Offenses <sup>18</sup>	63	8	23	1
Level	Drugs	1	—	—	—
Unspecified	All Other Offenses	14	9	4	2
NonFelony / NonAlcohol Vehicle Code Offenses		98	—	12	—

<sup>17</sup> Misdemeanor DUIs are also included in the general misdemeanor alcohol offense category

<sup>18</sup> Offenses in the "All Other Offenses" category for each level include:

Battery on a police officer / Battery / Assisting a criminal / Absent without leave violation / Aiding a minor into being a runaway / Contributing to the delinquency of a minor / Furnishing alcohol to a minor / Contempt of court / Criminal conversation / Disorderly conduct / Giving false information to a police officer / Possession of a forged parking permit / Unauthorized possession/use of license / Criminal deception / Failure to appear / Nonaggravated intimidation / Harassment / Littering / Illegal dumping of solid waste / Visiting a common nuisance / Resisting law enforcement / Criminal recklessness / Voyeurism / Indecent exposure / Stalking / Larceny / Theft by conversion / Theft / Check deception / Curfew violation / Delinquent child / Criminal mischief / Possession of stolen property / Fleeing a police officer / Retail theft / Runaway / Trespassing / Violation of probation